

INDIVIDUALISM  
— — AND THE — —  
LAND QUESTION

Sir ROLAND K. WILSON, Bart.

J. H. LEVY

And Others.



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*Edited by J. H. LEVY.*

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# INDIVIDUALISM

— AND THE —

## LAND QUESTION:

— A DISCUSSION. —

BY

Sir ROLAND K. WILSON, Bart.,

J. H. LEVY,

And Others.

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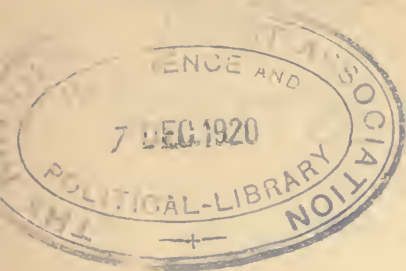
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## PREFATORY NOTE.

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It is hoped that this discussion—which, though it commenced in October, 1910, was not concluded till February, 1912—will do something towards enabling those who are desirous of forming a sound judgment on the Land Question to see what are the problems they need to solve, and the various ways in which they are solved by the representative persons who took part in the debate. So far as the Personal Rights Association is concerned, the gauntlet was first thrown down by myself, in a lecture—"The Outcome of Individualism"—which I delivered on 10th January, 1890. This was adopted by the Association, and printed as a propagandist pamphlet; and round it ever since has the controversy raged.

J. H. LEVY.

11, Abbeville Road, London, S.W.

24th March, 1912.

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# The State and the Land.



ON Thursday, 27th October, 1910, the Personal Rights Association held an "At Home," at the offices of the Association, 11, Abbeville Road, London, S.W.

Mr. Franklin Thomasson, V.P.,\* presided, and the following paper, by Sir Roland K. Wilson, M.A., LL.M., was read and discussed:—

## I.—THEORETICAL.

I approach this subject from a point of view which is, I hope, largely shared by my present audience; though in many meetings of larger pretensions it would need a lot of explaining. It is that of one who desires to confine the State, as strictly as the nature of things will admit, to the one function of ascertaining and enforcing the dictates of justice as between man and man; and who puts higher or lower the claim of his own Government to his reverence, obedience, and support, according to the efficiency with which this primary function is discharged. If, and so far as, the actual State aims at other objects—

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\* Mr. Thomasson has now become President of the Association.

poses as an earthly Providence, or as a teacher of religion and the arts, or as a gigantic industrial partnership, or, on the other hand, as an agency for plundering and enslaving weaker communities—my respect for it diminishes, my allegiance becomes reluctant and perfunctory, and I want either to reform it or to get out of it. What then has the State as thus conceived—in other words, what has a mere justice-association, or compulsory arbitration league—to do with the land?

Well, first of all, it has to assert its own authority over the whole territory within which it undertakes to see justice done—over the whole stage on which it has to play its part. For that purpose its agents must be able to traverse freely every square mile of the country, and if private enterprise has not supplied the necessary roads, harbours, and means of communication, it must itself provide whatever is lacking. And, seeing that effective State protection is a condition precedent for the success of every kind of peaceful private enterprise, we must expect to find that in these matters Government has usually been first in the field; that the principal roads, for instance, are “the king’s highways,” constructed by the Government primarily for Government purposes. Anyhow, it is evident that the Government must either keep in its own hands, or re-acquire compulsorily as occasion arises, all the open space that it needs for its own freedom of action.

This, however, touches only the fringe of our subject. We are more seriously concerned with the relations that arise out of the primary function of the State as *adjudicator* of the rights of individuals.

Some will tell you that all rights, and rights of property in particular, are *created* by the State. The truth surely is that they exist as moral claims independently of the State; but that we look to the State, as the Association specially organized for that purpose, to *declare and enforce them*; and that the degree of our loyalty to that Association depends upon

the extent to which its decisions commend themselves to our several consciences. We look to the State to interpret the collective conscience as to what are, and what are not, just titles to property—in other words, as to when an individual should be protected in the exclusive use of any material object—and we are now engaged in contributing our several opinions towards the formation of that collective conscience.

From the fact that property is exclusive, it shows that some positive reason must be shown for permitting it. And from this again it follows that there must be many objects possessing utility, to the exclusive use of which no one can show any just title. What is to be done with these ownerless things?

Of course, where the nature of the thing is such that it can be used by all in common, and that no greater utility would be extracted from it if appropriated, no difficulty arises. But in the existing state of the arts, such cases are so rare as to be practically negligible. Of movable things it may be said almost universally that common use is no use at all. Ownerless land can no doubt be used by all in common for locomotion—where someone has taken the trouble to clear away the natural obstacles; but there is no portion of the earth's crust of which the utility is exhausted by mere occupation and locomotion, or of which nobody could conceivably, by application of the right sort of skill and industry, extract some form of wealth. Most land is capable of serving a great variety of useful purposes, but will, in fact, serve none of them unless the necessary exertion is evoked from individuals by the hope of adequate reward. If, then, no one can turn it to the best account without interfering with the right of all other people to use it in common, and if no one is able to establish any just claim to such an exclusive privilege, how are the demands of justice to be satisfied? Surely not by keeping the land unutilized.

The body which is responsible for seeing that justice is done must hold the land (and all other

ownerless things) in trust for the common benefit; and, as regards the land, I can see only two possible ways of discharging that duty. One is direct exploitation by paid agents of the State, which is from our point of view extremely undesirable. I need not here repeat the familiar arguments against all avoidable extensions of officialism; but, for careful weighing of the *pros* and *cons* in particular cases, I would commend to your notice Major Leonard Darwin on *Municipal Trading*. The other way is to let the land to those who will pay the best rent, who will generally be those who are able and willing to turn its resources to the best account. Why *let* and not *sell*? Because, if by selling is meant guaranteeing exclusive possession without any limit of time, this is inconsistent with the State holding the land for the common benefit. It cannot be just to give away the rights of posterity for a lump sum to be received and spent by the present generation, though this is very commonly done by governments eager to hasten the filling up of a new country. Such a transaction is, to my thinking, a mere piece of bluff; and I shall endeavour to show presently that posterity will be under no moral obligation to confirm it.

In classing all land as originally ownerless, I have tacitly assumed that there can be no such thing as a just title to individual ownership, which the State, as supreme arbiter, would be bound to recognize. Why?

We find mention in our law books of various titles to real property, of which the chief are gift, purchase, bequest (technically called devise) and inheritance. But all these are manifestly derivative titles, presupposing a previous owner with a different and more original one.

The famous John Locke thought he had discovered such an original title. In his *Treatise on Civil Government*, he suggests that when an individual has taken anything out of the common stock provided by nature, "he hath mixed his labour with it, and joined with it something that is his own, and thereby makes it his

property"; but with the important qualification, "*at least where there is enough, and as good, left in common for others*"; and that similarly, subject to the same qualification, "as much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property."

The insufficiency of this plea was effectively exposed sixty years ago by Herbert Spencer in *Social Statics*. If I mix something that belongs to me with something that belongs to you, the most favourable view that the law can possibly take of the transaction is that the product should belong to us jointly. I shall be lucky if I am not punished for my unauthorized action by the whole being awarded to you. Does it alter the rights of the case if the thing that I contribute is my labour, and if the other ingredient in the mixture is land unappropriated? Surely not. *What belongs to nobody belongs to everybody*, and full justice cannot be done unless the justice-enforcing body takes charge of it on behalf of everybody.

Of course, if Locke's proviso is fully satisfied—in other words, *if, and so long as*, it can be truly said that "there is enough, and as good, left in common for others," the infringement of the common right by the first enclosure is merely nominal, and the compensation which can properly be demanded is also merely nominal, and not worth exacting. The assertion may sometimes be truly made for the first settlers in a new colony; but it can never remain true for any length of time if the settlement prospers. The fact of a man having enclosed land at a time when nobody wanted it cannot give him a right to keep it enclosed when many people want it. By "mixing his labour with the land" he became at the outset, and remains all the time, at best only joint owner with the community, the shares of the two parties being proportionate to the values, at any given moment, of the land itself, considered apart from any added utility due to his labour, and of these added utilities respectively. The proportion between these two elements



of value will naturally vary from year to year, or, at all events, from decade to decade, according as the pressure of population in that particular neighbourhood, or the skill and energy brought to bear on the land by the occupant, happens to predominate; and it may well be that it will pass the wit of man to discriminate between them with anything like accuracy. But *since it is certain that the two elements are there*, the roughest, most arbitrary division must be a nearer approach to justice than assigning the whole of the mixed product to one party. If the transactions were between two living individuals, the matter might be settled by the cultivator taking over once for all the undivided ownership, and paying a lump sum to the other. But the State represents in this matter the interests of all mankind, present and future, which cannot (to my thinking, at least) be so summarily disposed of.

I say advisedly, here, "all mankind," instead of "the community owing allegiance to the particular Government in question"; because I am quite prepared to admit that the same reasoning which goes to prove that every member of a given community suffers some diminution of his opportunities, and some infringement of his natural rights, when a piece of land hitherto lying open is enclosed, will also go to prove that there is always some diminution—though it may be inappreciably small—of the rights of outsiders, when a State presumes to treat the whole territory over which its dominion extends as existing for the exclusive benefit of its own members. This is sometimes urged as an objection to the whole theory of State ownership of land; but the objection has no real validity. We need have no scruple about admitting that rents received by any given State from the enclosures of land within its jurisdiction are, in a sense, held in trust for mankind at large; but in what sense? If they are applied in what I hold to be the proper way, they will be held in trust for the one common purpose for which, according to my under-

standing, all States exist, or which alone justifies their existence, *viz.*, *the promotion of justice.*

The fact that its activities are normally limited (by definition) to the local area within which it is supreme, should not prevent us from regarding it as working for the benefit of all mankind. So long as it acts in that spirit, giving to foreign immigrants, as well as to native-born citizens, the full benefit of its protection, and contributing its fair share towards the enforcement of international justice, its obligations towards mankind in general are fully discharged, and no foreigner has a right to complain that its land revenue, whether large or small, is misappropriated. The contingency of there being a surplus to dispose of, after duly providing for all that is involved in the aforesaid obligations, is (*pace* Mr. Henry George) too remote from present-day politics to be worth considering.

Such is, in outline, my theory of the proper relations between the State and the land. *Site values to the State, improvement values to the improver.* Site values not required for public purposes to be let at the best rent obtainable, either for terms of moderate length, or with reservation of a right of resumption at any time on equitable conditions; *never* on such conditions as will prevent the tenant from getting the full benefit of his improvements. All profits accruing to the State to be applied to the primary purpose of Government, and therefore in relief of taxation, in the same way as the comparatively small revenue at present derived from the Crown lands is applied.

I am aware that this is one of the points on which I must be prepared to meet the formidable criticism of Mr. Levy. He objects that this is giving an unfair advantage to the richer taxpayers, because when the expenses of Government are defrayed by taxation the burden is, or should be, apportioned according to ability. If, and so far as, they are defrayed out of land revenues, they are taken from a fund which, because it belongs to nobody in particular, belongs to

everybody alike, and therefore, so it is argued, should be dealt out in equal cash payments to every man, woman, and child then living. To withhold these personal dividends on the pretext of applying them to the purposes of Government, is, in effect, to levy a poll-tax for those purposes.

The argument is plausible as a piece of logic ; though the course of action to which it points is hopelessly impracticable. The greater part of the revenue would be absorbed by the cost of account-keeping and distribution, and the division would be, after all, unfair, unless it could be made world-wide. But if we have made up our minds to regard the State as an association for defining and enforcing justice, the argument may be answered as follows. It is impossible to say that the poor are more benefited than the rich, or that the rich are more benefited than the poor, by just laws well administered. No doubt the habitually honest gain more than the habitually dishonest, if indeed the latter can be said to gain anything ; but with them we need not concern ourselves. From the point of view of right-minded people, money devoted to this, the one indisputably necessary purpose of Government, may surely be assumed to be universally and equally beneficial. To what better purpose then can a fund which belongs to everybody be applied ? Is anyone aggrieved by the burden of taxation being lightened ? Assuming that the taxes would have been apportioned on the just principle of equality of sacrifice, everyone will experience equal relief from their abolition or diminution. Or, again, the matter may be put in this way. In order that effect may be given to any ethical theory concerning the relative rights of the community and of the individual, we must postulate an effective organization for defining and enforcing rights. The maintenance of such an organization must therefore be the first charge on any fund secured for the community through the action of the State.

With this rather important exception, I am glad



to think that I shall have Mr. Levy as an ally, as well as that arch-Individualist, the late Mr. Herbert Spencer, so long as the discussion is kept on the plane of what the latter would call "Social Statics," *i.e.*, the science of the ideally right relations between man and man, and between the individual and the community. It was, in fact, from reading Spencer's *Social Statics* that I was first led, some forty years ago, to substantially the same opinions that I am now expressing. Even on this academic plane I have to part company with two other fellow-Individualists, the late Mr. Auberon Herbert and the very much alive Mr. Harold Cox. With the former I need not greatly concern myself, because he practically refuses all inquiry into the ethical basis of property, and talks as though it were needless to go behind the "free and open market:" which is flatly absurd.

Mr. Cox does make some attempt to dispute the theoretical position of Henry George, and in so doing he comes very near to maintaining the paradox that human effort—in other words, that cost of production—is the only factor in land values. He seems to think that he has proved this by pointing to cases in which the rental of the land to-day does not represent one per cent. of the capital sunk for such purposes as marling, draining, ditching, and road-making, or to houses which can be bought with the land on which they stand, for less than the money that it cost to build the house. But what would be the value of the labour of road-makers and builders had there been no land to which it could be applied? And what is the "capital outlay embodied in the land" but bricks, stone, iron, timber, and so forth, now embodied in machinery or buildings, but originally extracted from other land? Then, again, Mr. Cox quotes with approval Prof. Marshall's statement that "the fundamental attribute of land is its extension," which is practically fixed beyond human control. If (to continue the quotation) the use of a certain area of the earth's surface is the primary condition of anything that man

can do, how can it be denied that it has value wherever there are men who want to do anything on it? Granting that the value increases with every improvement that enables people to do more useful things on it with less trouble, it is equally clear that it must increase, quite apart from improvements already effected, with every increase in the number of people in the neighbourhood who want an opportunity for making improvements, or who want to use it for some purpose (say transit, or sport, or public meetings) quite independent of improvements, and in the amount of profit that these people see their way to making out of it.

The case for land nationalization is often rested on the ground that all increments of land values not traceable to the action of the landowner or his predecessors in title must have been "socially earned"; that is, must be the result of the useful activities of an indefinite number of people, directed primarily to their several private objects, but all tending to increase of population, of ability to pay rent, and of capital seeking investment; and that, therefore, these increments belong to society in general, as represented by the State.

I do not identify myself with this line of argument. It seems to me that all the betterment here credited to the abstraction "Society" is in reality the work of unspecified individuals who must be presumed, in the absence of evidence to the contrary, to have been duly paid for their work as it was done; otherwise they would not have done it. If in any case it was not so, that is a wrong to be redressed by process of law if possible, but all events irrelevant to the rights of the community as a whole. If the enhanced value is due to the State itself doing its proper work more efficiently, and thus making the whole country better worth living in, that was a benefit to landowners and landless alike, and the cost was, or should have been, borne by all in proportion to ability. For this reason, instead of speaking of site values as "socially earned,"

I have preferred to claim them for the State as "belonging to everybody because earned by nobody," and beyond that position I am not disposed to go.

## II.—HISTORICAL.

When we have determined to our own satisfaction the ideally right relations between the State and the land, we have accomplished a quite indispensable, but not the most difficult, portion of our task. It still remains to find the means of bridging over the enormous gap between the ideal and the actual. No rational student of history expects to be able to identify, always or generally, what has been done with what ought to have been done. No one pretends that a pure desire for justice has ever been the sole, or has often been the principal, impelling motive in the formation and growth of States; though one may, I think, affirm with some confidence that comparative success or failure in State-building has generally depended very largely on the degree in which the machinery set up by the builders for their own purposes has actually subserved the ends of justice.

If we had been able to discover anywhere in our past history the system of land law which I have been commending as theoretically the best, that would have been rather a reason against it than in its favour, seeing that at no former period were the social results of the policy actually pursued such as any just-minded person of the present day would desire to reproduce. An examination of the steps by which our present land system has been reached will not encourage either return to the past or acquiescence in the present.

Of Roman Britain it is sufficient to remark that it was in the main a land exploited by foreign capitalists; incidentally, perhaps, to the benefit and enlightenment of the native races, but primarily for the enrichment of the exploiters. The extensive export

of corn to the Continent proves, no doubt, that agriculture was pursued with energy and intelligence; but if the population had been numerous, free, and prosperous, the corn would most likely have been consumed at home. Outside the cities, where the settlers imitated on a small scale the municipal life of Italy and Greece, the typical land unit was the *villa*, an estate of considerable extent, held in full ownership or on the perpetual lease (*emphyteusis*) of Roman Law, and worked by slave labour; or at best by that of serfs bound to the soil. Such a system might be favourable, up to a certain point, to the production of wealth, but certainly not to its equitable distribution.

If we follow Professor Maitland's guidance—and I don't suppose we can do better—through the obscurity of the Saxon period, we shall think of our Teutonic ancestors as continuing, perhaps, to some extent the Roman agrarian system in Wessex, but as making a pretty clean sweep of it in their eastern and northern kingdoms, and taking for their starting point the prevailing system of their native Germany; loosely organized free villages, dividing among their members the abundant arable land with scrupulous regard for equality, and very little regard for good husbandry. The typical allowance to each free settler is 120 separate acre-strips—such strips as might be ploughed by a team of eight oxen in a normal working day, scattered all about the village territory, so as to give each a sample of all the different qualities of soil—besides unlimited access to the surrounding grazing ground and forest for the pasture of their cattle, for timber and firewood for their homesteads, and for hunting and fishing. Anticipating the objection that 120 acres, with accessory common rights, seems an amazingly liberal allowance on which to keep a single family in bread and beer, even if we remember that beasts have to be fed as well as men, and throw in a few slaves to do the roughest work, Maitland points out that, com-



merce having been destroyed, each rural community had to be self-supporting; that, with their careless and wasteful husbandry, at least half the arable land would be left fallow while the other half was being tilled; and that a margin had to be allowed for bad years, and for frequent interruption of industry by war. Bands of victorious immigrants, accustomed to the rudest style of farming in their native land, having cleared for themselves with their swords a goodly space of vacant territory, much of it fit for the plough and still bearing traces of cultivation, would naturally demand, in the first instance, plenty of elbow-room, even for the humblest of the rank-and-file. So far, there may well have been a substratum of Individualistic equality in the most primitive Anglo-Saxon arrangements, and some such supposition is needed to explain the traces still extant of the economically absurd method of cultivation by scattered strips. Ownership of this type was not, however, destined to be the root, or certainly not the principal root, of the modern estate in fee simple. For that principal root we must look in quite a different quarter; namely, to the confusion which prevailed before, and long after, the Norman Conquest, between *official authority* and *proprietary rights*. The Norman rule was far more vigorous and methodical than the Saxon, but it left this primary source of confusion untouched.

From the king downwards, all persons concerned in the work of government are linked together by a network of personal contracts varying infinitely in detail, but always implying service of some sort on one side in return for protection on the other. Protection is the most valuable commodity which the strong are in a position to sell to the weak. But strength is a relative term, and he whose protection is sought by those weaker than himself must in turn seek protection from some one still stronger. The question of equal justice really only comes in as between those who are in the same relation of depen-

dence on the same superior. "A man must be judged by his peers." The most important, and therefore the best paid, of all services is military service, because the greater the military force at my disposal the more extensive and profitable will be the business of selling protection, or what I am pleased to call justice. The governmental business is run, like any other, competitively for profit; but from its nature it tends more than any other to combines and monopolies, and the arch-monopolist, so far as England is concerned, is the King. He can claim some sort of service from all, but only on the strength of a separate bargain with each, and only so long as his protection is found to be worth paying for. Conversely, the superior will withdraw his protection from the inferior when the latter's services cease to be valuable. The system is far from being a one-man despotism; but still less does it resemble a commonwealth, either democratic or oligarchic. It is a tangle of personal contractual relations, though the subject-matter of these personal contracts is the sort of business that is now performed, and can only be properly performed, by a State.

The business of fighting and governing, however, cannot of itself produce wealth, or even bare subsistence. This can only be produced by labour brought to bear on the material provided by nature. In medieval England the connecting link between the governing and the industrial organization is the lord of the manor.

The manor is the smallest territorial subdivision having any governmental significance. The lord is the person authorized by the king to execute justice within that area, and required to provide out of its resources a certain amount of military service, and of money also on occasion. Instead of receiving, like a modern public servant, a salary out of the public treasury, he helps himself, within the limits fixed by custom or contract, out of the produce of the industry of those subject to his jurisdiction. He does this in very

various ways. He has his own demesne, which he cultivates through his own hired servants; he has his free socage tenants, bound to help him in his administrative work, and to pay some fixed rent, in money or in kind, out of the produce of their acre-strips; he has his villein tenants, bound to give their personal labour; he has the control of the waste, so long as he does not interfere with the common rights of the free tenants; and, lastly, he has fines and other profits of jurisdiction, except what he may have to pass on to his superiors.

Clearly, neither he nor his socage tenants have anything approaching to what we now call ownership of land. The good and the evil incident to that form of property are alike absent. On the one hand neither the lord, nor the free socager, much less the villein, can feel the stimulus to improvement that full private ownership supplies. The lord has, of the three, the greatest freedom of action; but his hold on his estates, and the possibility of transmitting them to his descendants, depend much more on his political and military efficiency than on anything he may do as a captain of industry. The free socager has more inducement to give time and thought to agriculture, but what can he do with his scattered unenclosed acre-strips but go on ploughing and reaping in the stupid old fashion? On the other hand, with a population ranging from one to three millions, and not yet tending to become congested in urban centres, scarcity of land is not yet a crying evil. The grievances which provoked Wat Tyler's insurrection were not land monopoly, but forced labour and the poll-tax.\*

Now we must take a leap onward (as time presses)

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\* In this attempt to compress into a few paragraphs the essence of the medieval land system, I have perforce omitted a full half of the story. To get the true picture we must duplicate this *catena* of lay protectors and protégés with a collateral and equally tangled chain of ecclesiastical authorities, linked ultimately to the Pope instead of the King, and backing their commands and exactions with a rattling of the keys of heaven and hell.

to the reign of Charles II. The State is now fully born, though it has not yet attained maturity. State consciousness is strong in the upper and middle classes, not yet in the masses. It has been sung by Shakespeare and Milton, theorized over by More, Hooker, Bacon, and, lastly and chiefly, by Hobbes; fought for by Cromwell's Ironsides. The forms of land tenure adapted to feudal monarchy have lost all their political significance, and are ripe for transformation or abolition. In the course of the intervening centuries, while the baronial tenures had been becoming less like contracts of service, and more like private property, heritable, saleable, and at last even bequeathable, and proportionately useless to the Crown, the kings had been taking their own measures to provide independently a better system of justice and police, and a more efficient army; and the free socage tenants have acquired as against the lords of the manor something more than the proverbial "three F's." They have not only "fixity of tenure" and "free sale," but (in place of what may once have been, when supplemented by personal services now obsolete, a "fair rent"), a fixed and ridiculously low "quit rent." Even the once servile villein tenure had, under the name of "copyhold," grown into something only a little short of full ownership, which men of substance were glad to acquire by purchase. With the abolition of forced labour, two new classes had come into the field—the tenant farmer and the hired labourer. The landlords (now really landowners) who came to the front after the Wars of the Roses, had begun to take a more commercial view of their position, and aimed at production for exchange rather than for use. Whether it was sheep-farming, with a view to the export of wool, or (as happened later) tillage of the soil in a more intensive and scientific fashion, their operations involved of necessity more rigorous use of whatever rights of enclosure and exclusion they imagined themselves to possess. Thus, while the great improving landowners were benefiting



the community in one way by increasing the sum total of wealth, they were injuring it in another way by aggravating the inequalities of distribution. Then would have been the time for the State to step in and say to them—"You are quite welcome to change your status from that of local rulers, maintained by the labour of those subject to your authority, to that of agriculturists applying directive ability and capital to the profitable exploitation of the land, especially as your services in the former capacity are no longer required, and the manorial rights which were your pay ought therefore to lapse. We are quite willing to give you authority to enclose as much land as your undertaking requires, provided that you pay us the same rent which you would be able to obtain from a stranger seeking the same privilege, supposing that you were the owner of the land in question, which (morally speaking) you are not. You must be prepared to have the rent enhanced if the value of the land increases from causes independent of your exertions; but if you keep a proper account of your own improvements, we shall not evict you without payment of their present value."

Naturally, the statesmanship of the Tudor and Stuart periods was not equal to this. How could it be, with a Parliament composed almost exclusively of landowners? What was actually done, on the contrary, was, as you all know, to put the finishing stroke to a long course of encroachment on public rights, by the Act of 1662, abolishing the burdensome incidents of tenure by knight service, and making good the consequent deficiency of revenue by an excise duty levied on landless and landowners alike.

The subsequent two centuries and a half have but confirmed the privileged position then secured for the landowners as a class, bringing a vast amount of additional land under private ownership by successive Enclosure Acts and by Settled Land Acts, emancipating the living owner to a considerable extent, but not yet completely, from the tyranny of

the Dead Hand. Our modern semi-democratic Parliaments have, it is true, enforced with considerable vigour, in regard to certain matters, the maxim, *Sic utere tuo ut alienum non laedas*; but they have never yet ventured to question the *tuum*. They have controlled the use of land by elaborate building regulations, by preservation of open spaces, and by prohibiting certain contracts between landlord and tenant. They have accorded a ready, though expensive, sanction to compulsory purchase for all sorts of useful undertakings; but they have never said plainly "there is a fundamental and incurable flaw in your title deeds, and we must proceed to consider the equities of the case on that basis."

### III.—PRACTICAL.

So we come to the last and principal question to which I invite your attention. Supposing it granted that the present system is wrong, can it be set right, and if so how?

Two of the writers with whom I have been in general agreement thus far here desert me. I mean the late Mr. Herbert Spencer, and our friend and host Mr. Levy.

Spencer, in Appendix B to his *Principles of Ethics*, which I take to be his last word on this subject, puts forward certain considerations which he blames himself for having overlooked in his early work *Social Statics*, and which compel him to withdraw the demand he then made for restoration of the land to the community.

(1). That in order to redress the successive usurpations through which the land has come into the hands of its present owners, we should have to search out the present descendants of the earliest occupants of Britain—say the cave-dwellers who may have been dispossessed by the Kelts, who were dispossessed by the Romans, who were dispossessed by the Saxons, and so on. I surely need not waste time in refuting

this argument, which he himself would have brushed contemptuously aside when he was in his prime. The position taken up (quite rightly) in *Social Statics* was an absolute denial of the right of the first occupant to bar out the indefeasible rights of all mankind, present and future; rights for which the Government of the day, if, and when, and so far as, it has attained to a comprehension of its true function, will regard itself as a trustee. The cave-dweller had certainly something to complain of if (as is likely) he was knocked on the head by the Kelt, but nothing to complain of if he was simply asked to make room for the latter on equal terms.

(2). That the "prairie value" of English land, which is alone in dispute, is probably less than the 734 millions which have been expended since 1601 on poor relief out of rates charged upon the land, and that the landowners are morally entitled to set off this claim against the other. To this it may be answered, even assuming both his estimates to be correct, that the poor-rate has not at any period been levied on a site-value basis; in other words, it has not been paid exclusively, or even principally, out of the fund which it is proposed to restore to the community. Land entirely undeveloped has paid no rates at all, while the highest rates have been levied from those town properties in which the value of the buildings is highest relatively to the value of the site. Moreover, the expenditure of the poor-rate was during most of the time managed by the landowners themselves in such a way as to reduce their wages bill, or the wages bill of their tenants, and thereby to enhance their own rents.

Spencer does not make it clear whether he means to include in his estimate of "prairie value" all the added value attributable to increase of population, and to that progress in the arts, that improved governmental protection, and that accumulation of capital, which have multiplied the possible modes of extracting wealth from even the most unpromising

sites. If, for instance, some great convulsion of nature were suddenly to level the buildings, burst up the sewers, and convert the whole surface of London into a quagmire choked with rubbish, there would be a rush of capitalists eager to undertake its restoration, and every acre of it would still fetch a vastly higher price than at the date of the Roman Conquest. Something like this did happen lately at San Francisco.

Now I come to Mr. Levy, who in his *Outcome of Individualism* taxes Henry George with being a Repudiationist. Well, so am I, in a certain sense, and under certain conditions.

In my opinion the ascription of artificial personality to the State, useful and almost indispensable as it is for certain purposes, may easily be pressed too far. To admit without qualification the right of any set of men who may happen at any given moment to command a parliamentary majority, or to be otherwise possessed of supreme power, to bind their successors for all time either by their laws or by their contracts, would be as fatal to social progress as contrary to natural justice. That there can be no finality in legislation is universally conceded, except in the few quarters where the notion of an immutable law, divinely revealed once for all, still lingers.

It is no doubt generally considered that new laws should not, as a rule, operate retrospectively to the prejudice of living individuals. As a practical working rule for accomplishing necessary changes with the minimum of friction, there is much to be said for this; but I must deny that it has anything like absolute and universal validity.

The charge of twenty millions on the British taxpayer for compensation to the West Indian planters on the emancipation of their slaves may perhaps be justified by the suddenness and completeness of the change from almost absolute ownership of human beings, under the full sanction of the State, to absolute dependence on free contract for all the labour that



they required. The whole British nation had encouraged and profited by the sugar industry as worked by slave labour ; the planter who had, perhaps, inherited the slaves with the estate, or bought them as the only means then available for working the system, would have been very hardly treated had he been made to bear the *whole* burden of giving effect to a new moral scruple, indulged on the cheap by those who had no pecuniary interest in the institution. But the case would have been very different if a series of enactments had gradually curtailed the power of masters, by forcing upon all the rules of conduct already observed by the best of them. We do not read of compensation being paid to lords of the manor at any stage of the long process by which English serfdom was abolished ; nor of compensation to employers when child-labour was restricted by the Factory Acts.

In none of these legislative changes does the disappointment of natural expectations present more than a rather remote analogy to the repudiation of an actual contract between the State as borrower and an individual as lender. Yet even the repudiation of a national debt is to my thinking a matter of which the rightness or wrongness depends upon circumstances. For rich and prosperous England, justly proud on the whole of the achievements of the last two centuries, in which her national debt was piled up, and reckoning her present financial credit as the main source of her weight in world-politics, to repudiate the loans which went to the winning of Blenheim and Quebec, of Trafalgar and Waterloo, of Sebastopol and Khartoum and Pretoria, would of course be both disgraceful and suicidal. But if we can imagine the unfortunate Egyptians, in whose name Ismail Pasha borrowed some nine millions to be spent mostly on his own personal extravagances, displaying in 1881 a real capacity for self-government, and ability to meet current expenditure out of their own resources, I certainly think they would have been

fully justified in repudiating all that part of the foreign debt from which they had derived no benefit, and that the European Powers would have been guilty of oppression if they had still used their superior force to compel payment. The actual state of the case was, of course, far otherwise ; and perhaps it is unlikely that the combination of circumstances which would justify repudiation—a debt improperly incurred by one generation, and strength to dispense with further borrowing in the next—should ever occur in real history. But I well remember that, on one occasion, so unrevolutionary and capitalistic a statesman as the late Lord Goschen seriously warned us that, unless effective steps were taken to reduce the national debt, a time would come when “a very awkward question would be asked, a question much easier to ask than to answer, as to the right of any set of persons calling themselves a government to pledge the credit of the taxpayers of the future.”

Whether it is a case of money lent, or of property rights created by the State, it seems to be essential to the effective conduct of public business that the binding force of acts of State should not be affected by mere changes in the *personnel* of the contracting body, whether by the death of the King, or by the death or retirement of members of the Legislature, or by a general election. But it is surely no less necessary, as a safeguard for the rights of posterity, that acts of State should make no pretension to perpetuity, or that, if they do, such pretensions should be disregarded by subsequent representatives of the community. I can see no way of reconciling these conflicting requirements except an understanding to the effect that all acts of State which do not expressly limit the duration of their own operation (as national borrowings now generally do) shall be deemed to be tacitly confirmed by successive Parliaments, until notice is given to the contrary, and that such notice shall only take effect after a lapse of time roughly

commensurate with the average adult life of individuals—something between 30 and 50 years.

This requires to be supplemented by an understanding that in no case shall the cancellation of an act of State, even with due notice and after expiration of the prescribed interval, operate so as to transfer to the State the fruits of individual skill and industry. Thus no repudiation of national debt should be so managed as to leave unrequited any net advantage accruing to the community from the loan; and (to return to our proper subject) no cancellation of titles to land, on the ground of their inconsistency with the inalienable rights of the community, should involve the eviction of the owner, even after the prescribed interval, without full compensation for any added utility clearly traceable to his action, or to that of his predecessors in title.

Such, then, in broad outline, is the policy that I should have liked to see adopted for restoring, as far as possible, what I claim to be the ideally just relation of the State to the land.

(1). An Act should have been passed converting all existing freehold and copyhold estates into rent-free leaseholds for, say, fifty years from the date of the Act; with a corresponding curtailment of existing leaseholds of which more than fifty years were unexpired.

(2). This enactment should have been qualified (as just now indicated) by a proviso for full compensation for improvements in case of eviction at the expiration of the term; in other words, limiting the State reversion to the *site value*.

(3). After this process of resumption was completed, the action of the State as supreme landowner should have been limited, generally speaking, to (a) the preservation of open spaces to whatever extent may be thought desirable (b) letting such portions of land as are adapted for exclusive use at the best rent obtainable, or rather at such rent, and under such conditions as to cultivation and building,

as will bring in the largest permanent revenue consistently with public health and convenience ; paying over net rents to the Treasury in relief of national taxation, or perhaps in part to local authorities in relief of rates.\*

All this however is, as you know, not practical politics at the present moment. The battle is actually raging over the land clauses of the Budget of 1909, and you will probably expect me to say something about them before I conclude, and to indicate how far I regard them as steps towards, or away from, my ideal.

To begin with, I disapprove on principle of the Georgian idea of taking under the name of a tax what would be taken as rent if the land were resumed by the State, as in my view it ought to be. Concealment and fiction do not harmonize well with democracy. Considering it simply as a subject of taxation, I see no reason why land should be differently treated from Consols or any other investment. But, on the other hand, it may sometimes happen that two violations of principle in opposite directions do, in a rough sort of way, cancel each other ; and, when that is the case, one hardly feels inclined to join in active opposition to the second without some guarantee for the removal of the first. That is my position with regard to the proposed taxes on increment of site values, on reversions, on undeveloped land, and on minerals. If the ownership had been resumed by the State as suggested, unearned increment would as a matter of course accrue to the State in the shape of enhanced rent or renewal of leases, and this would cover both the increment value duty and the reversion duty of the Finance Acts. Equally as a matter of course, the State would have to bear the loss of any unearned decrement.

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\* State expenditure on "land development," in such forms as afforestation, reclamation from the sea, &c., need not be absolutely tabooed, but should be very sparingly resorted to. Wherever possible, such works should be delegated to private companies with terminable concessions, and under proper State control.



Again, the tax on undeveloped land is a way of putting pressure on the landowner to do what he would probably be compelled to do if he were a tenant under the State, in order to save himself from being ousted by some competitor who, seeing his way to some new development, might be willing to offer a higher rent. And lastly, the State, as owner, would naturally take from its *mining* lessees a royalty somewhat analogous to the mineral rights duty imposed by the Finance Act.

I repeat that this method of gradually restoring to the State many of the advantages without the name of ownership does not commend itself to me as the best possible. It is neither quite straightforward nor strictly just. But if, as I hope, it helps to clear the way for direct resumption of State ownership on terms not grossly unfair either to the community or to the landlord, then I shall be prepared to maintain that it was a less objectionable policy than that of leaving things exactly as they were.

For one portion, at all events, of Part I. of the Finance Act I am most unfeignedly grateful to the Government. For all who accept our formula, "site values to the community, improvements to the improver," some attempt to discriminate these values is imperative. The admitted difficulty of the task is not a reason for shirking it, but for making a beginning with the least possible delay. The valuations under sections 25-32 of the Act may take a long time and cause a great deal of trouble and expense. The results arrived at may be after all of very dubious accuracy. But whatever arbitrariness there may be about them will be a slight evil compared with the enormous injustice of ignoring altogether the claim of the community, born and to be born, to something, and to a certainly not insignificant something, in the nature of site value.

The principle of self-assessment, embodied in the "tax and buy" Bills promoted by the Land Nationalization Society, may be as impracticable as Mr.

Harold Cox says it is. The reverse plan, of giving the option to the landowner, if he considers that his "site values" have been over-estimated by the official valuers, of insisting on the State buying him out at that valuation, may be thought to involve a heavier financial risk than the State would be justified in incurring. But if it could be adopted, it would almost entirely obviate any hardship resulting from over-valuation; and if it encouraged under-valuation on the part of the officials, that would be an error on the safer side.

Now, as to Mr. Levy's alternative policy. It is common ground between us that, as he puts it, "the defence of Individualism *plus* private property in land is impossible." It is also common ground that (again quoting his words) "what we are arguing for is not State *ownership*, but State *trusteeship*"; only that I would prefer to express the same thought, in closer accordance with accepted legal terminology, by saying that the State ownership which we advocate is not *beneficial*, but *fiduciary*. The point, at all events, is that the State should never be allowed to transfer its ownership, and thus to re-create perpetual private ownership.

On the other hand, I have already stated, and need not repeat, my reasons for disagreeing with his view that in resuming this State ownership, or trusteeship, we are morally bound to follow the precedent of West Indian emancipation, and to throw upon the general taxpayer the *whole* cost of the change. The passage in Mr. Levy's pamphlet (p. 44) to which I now ask your attention, and must venture to criticize, is as follows:—

"If once the right principle were adopted by Parliament, it would soon fructify and yield a bounteous harvest. When that principle became the moral basis of a settled policy, public lands would not be allowed to slip from public hands; the permanent fiscal burthens on land—which are

a reserved rental belonging to the State—would be jealously maintained ; lands held in trust by corporations might be transferred to the State on equitable terms ; the pruning away of some of the absurdities of the law of inheritance would result in many rich windfalls to the State. [I should carry restrictions on both inheritance and bequest a good deal further than Mr. Levy would approve.] Reversions, whose value is little, might advantageously be acquired ; and, last but not least, I think we might reasonably look forward to bequests and gifts of land and other property to the State becoming much more frequent." [I was not aware that there had, so far, been any instances at all of such gifts or bequests.] "Especially should I hope that many of the large landholders would voluntarily turn their permanent ownership into a terminable one ; for they would gain far more in the love and esteem of their fellow-citizens than they would lose in point of wealth. In other words, the system I would adopt would be that of patience, forbearance, and faith in the vivifying effect of a great moral principle."

My general objection to this policy is that so vacillating, tentative, and partial an affirmation of "a great moral principle" would be taken by the general public as nearly tantamount to its negation. Parliament is not in the habit of adopting a principle otherwise than by applying it to particular cases as they arise. But suppose it did for once depart from its habit, and pass an abstract resolution affirming the wrongness of private landowning, or an Act prohibiting alienations of public land either by the Crown or by public authorities. Suppose this done at the instance of a Liberal Ministry, that the next general election brings a change of Government, and that the Unionist Parliament repeals the new Act. During the next six years various alienations of public land take place, after which there is another general elec-

tion, the Liberals return to power, and re-enact their original measure. They cannot, however, on Mr. Levy's principles annul the new titles created in the interval, and so the seesaw may go on *ad infinitum*. On the other hand, one example of moderate but resolute retrospective legislation will strike at the roots of the objectionable practice. When once all existing site ownerships have been converted by Act of Parliament into terminable leaseholds, no subsequent Parliament, however reactionary, will be able to restore to the ex-owners the advantages of perpetuity. "All the King's Commons and all the King's Lords" will not set *that* Humpty Dumpty up again, because the whole value of a professedly perpetual title depends on the confidence that it will be respected, which confidence will have been once for all destroyed.

The price of reversions would rise considerably, if it became known that the Government was always anxious to buy up such interests, but that it would refrain, on principle, from resorting to compulsion. Nor do I believe that many large landowners, or even the best of them, would seek to win the love and esteem of their compatriots by voluntarily converting their permanent ownership into a terminable one; because they would expose themselves to the imputation of being generous only at the expense of their heirs.

Patience and forbearance are excellent qualities in their place, but they may be carried too far when it is a question of allowing individuals to retain indefinitely what belongs to the community. I consider that these virtues would have been sufficiently displayed if my plan of a time limit had been adopted; and that they are displayed in very considerable measure, though not quite to the extent, or in the way, that I desire, in the land clauses of the Budget of 1909.

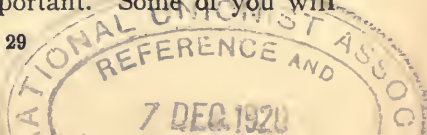
MR. HAKLUYT EGERTON:—First of all—I mention this at once because it does not come into the course of the discussion—I wish to record a formal dissent,



which would probably be a material one, from Sir Roland Wilson's conception of the functions of the State. The State, he says, is the organ for administering and securing justice. This conception implies a wider function in the State than I can see my way to accept, and I do not think it is the ultimate view of the State. But this is only an incidental criticism.

Let us now turn to Sir Roland Wilson's main argument. His primary proposition is that site-values belong to the State. That also I dissent from—I think completely. If you were to ask me to say Yes or No, I should write an unqualified "No." I do *not* think that site-values belong to the State. I might accept, in a preliminary way, the proposition that *land-values* belong to the State, but land-values are not site-values. They are always distinct; and outside urban areas they are actually different. For agricultural land, site-value is quite different from land-value; and one result of making site-values the basis of your land legislation would be this—you would hand over to the State a very important element in value which is wholly the product of the personal work of definable individuals. The site-value of agricultural land includes the value of that land as it stands—as the result of two or three thousand years of human work and human expenditure upon it. I do not say that all the work of that two or three thousand years is present there now; but there has been a continuous human activity on that land, and the present site-value includes the unexhausted results of that activity. I do not know what ethical conception of property would warrant us in saying that *that* element in the value of the agricultural land properly appertains to the State.

Then there is another difficulty. Sir Roland Wilson says that site-values *belong* to the State. This involves the idea of ownership or property, but he gives us no definition of the right of ownership, no account of its grounds and limitations. This omission is, I think, regrettable and important. Some of you will



remember that in a couple of articles on Land-Values which I wrote last year for the *Individualist*, I made some attempt to do what Sir Roland Wilson has not done—at least, not in the paper we have just heard. I there showed that the right of ownership, the right of property, is essentially an ethical (and not merely a legal) right, and that wherever it exists, it is the result of human work—or (I would add) of the equivalent of human work. Now, land—unimproved land—is a gift of nature. It is not a result of anyone's work; and, therefore, it is not and cannot be subject to a right of property.

It is, however, subject to another right—to a right of dominion; a right of user. The conversion of *that* right into a legal (I do not say “ethical”) right of property is the characteristic note of landlordism.

Even in its natural condition, land has properties which make it valuable. Additional value accrues to it through human work. For instance, by clearing, draining, and manuring, its productive powers are greatly increased, and it becomes correspondingly more valuable. Such increment of value is the direct result of human industry, consequently, it falls within the definition of property, and is subject to ownership. This increment forms part of site-value, but it does not form part of land-value. The latter value is always a value of *unimproved* land, of land in a state of nature, and every increment of it arises from the general development of society and industry—I will not carry the analysis beyond this—*around* the piece of land to which the increment accrues, and not from work *upon* that land. Now, to whom do *such* increments belong or pertain? I think we must say that ultimately they belong or pertain to “Society as a whole”—to the social complexus whose developing life has created them.

From this answer there may seem to be a short and direct inference to a policy of resumption. In some cases, resumption—considerate resumption—would be justifiable. In other cases, however, resumption

would be plainly and intolerably immoral. Law and custom have (not unjustifiably) permitted land-values to pass into private hands, and to be dealt with by bargain and sale. Now, take the case of a man who has recently bought freehold land at its full market-value. What is the difference between his right to the land-values he has thus acquired and the right of another man to a coat which he has purchased? I cannot see that there is any difference. In each case something has been acquired in exchange for money; and, because money is the equivalent of work, there is (in each case) a complete right of ownership in the thing acquired. Doubtless, the things acquired are different. In the one case the purchaser has acquired dominion over a particular piece of land, a right of property in the improvements (if any) intrinsic in that land, and a right to enjoy and dispose of the land-value of that land; in the other case, he has acquired a coat. The things acquired are different, but the rights to them—the rights created by the two acts of purchase—are identical. In each case, a completely valid right of ownership has been acquired, in the only way such a right can be acquired—that is, in exchange for work or the equivalent of work. Sir Roland Wilson has ignored all this. He has drawn attention to the peculiar nature of the subject in which land-values inhere; he has said nothing about the existing rights in those values. In many cases—perhaps in most cases—these rights are ethically valid rights of ownership, and are indistinguishable from a man's right to the coat or pipe which he has bought. This fact, which Sir Roland Wilson ignores, is cardinal, and it seems an insuperable obstacle to any and every policy of general resumption.

Mr. ROGER C. RICHARDS (a visitor from the National Liberal Club Political and Economic Circle):—As I was unfortunately late, I shall not presume to criticize Sir R. Wilson's paper, but shall content myself with expressing some of my own views on the relationship

of the State to the land ; and I think we must bring it down from Laputa to practical politics, although I was very pleased to see that the last speaker did somehow or other bring his ethical views in line with law and morals. Now, along with Sir Roland Wilson, I have a very great respect for the law. I respect it because the ownership of the land is recognized by law as always vested in the State ; and that is not a mere affirmation of a principle, but it is the basis of the Consolidated Clauses Act of 1845, which in turn is the basis of the terms and conditions upon which all owners shall be expropriated when the land is needed for public purposes. I will take another illustration from practical politics. In Ireland, "Ulster Tenant Right," and all the land legislation from 1871 to 1881, was based on the principle that the State would see that justice was done between those holding an interest in the land. The object of those Acts was to determine what was improvement and what was land-value, and to secure for the tenant who had effected the improvement the value of that improvement ; and I see no greater difficulty in severing the increment from the site-value or the land-value than there was in severing what was improvement from what was land-value in Ireland. The object and the underlying principle in both cases is to do justice to all parties. In the case of the tenant, you had to give to him the full value of that improvement which he himself had made ; and, in the Act of 1909, I rejoice to see a determination on the part of the English Government to take some portion of the increment which, in justice, belongs to the community whose necessities and growth have been the cause of that increment. I gathered from the last speaker that he was labouring under a delusion which very many speakers labour under when they talk of this 1909 Act. I cannot see any clause in it which is going to diminish in any way, or in the slightest degree, the value of the property. If there shall be a plus value to the present property, the State will take a certain portion of that



plus value. If there is a minus, that, I believe, will be adjusted on a term of years, or to the life of the existing owners. You must remember that you have to deal with the thing in the aggregate, and in the aggregate no such thing as a minus has been found.

Some criticism has been brought against the Budget, on the ground that agricultural land is excluded. I quite admit that, in principle, such criticism is just, and that the non-inclusion of agricultural land is wrong. But, in practical politics, one has to frame one's measures in such a form as one can pass. In this connection, I remember a conversation with Mr. Gladstone in 1884, after the passing of the Reform Bill of that year. I was one of a deputation from the Manchester Liberal Association to present an address on his birthday. In the course of my brief remarks, I said: "We are much pleased that you have succeeded in passing this measure; but speaking for the more advanced Liberals, we shall not be content till we have succeeded in securing the principle of 'one man, one vote,' and have done away with the anomaly of university representation." Mr. Gladstone replied: "You are quite right, and I quite agree with you, but we must work with the instruments we have got."

A ship may have a cargo of 1,000 tons; and, through stress of weather, you may have to jettison 500 tons. It does not follow that you do not value the 500 tons jettisoned; your object is to bring the remaining 500 tons safe in port. In all practical legislation we must be prepared to accept something which is somewhat short of the full affirmation of our principles; and this is more especially the case in legislation affecting land. To those who assert that there is no difference between the ownership of land and the ownership of other forms of property I would point out this further point of difference—an illustration which I used the other night. Mr. Harold Cox referred to the value of Charing Cross, and was foolish enough to make the assertion that, if Charing Cross station were removed, practically there would be no site-value to the land

upon which it stood. Whereupon I gave this illustration. You take the acre of land upon which Charing Cross station stands and transfer it to the West Indies; it is worth nothing. Take Consols and sell them in New York and they are worth as much, less arbitrage, there as in London. Accepting these principles, we must, I think, vindicate and justify every attempt on the part of the State to repossess itself of that out of which it was wrongly excluded by the legislation of 1660 and by the various Enclosure Acts of the 18th century; and I would suggest the easiest method is by seeing in future that there shall be no increment, and that the State shall take, in the form of rates and taxes, the increment as it comes for the supply of local and national necessities.

MR. G. M. REEVE:—I did not come prepared to speak, but one or two things struck me in the course of the discussion. A friend of mine from Burmah, who has been staying with my family, tells me that the revenue of that country is raised by a land tax, and that the people of Burmah complain that their land, which is about as rich in natural wealth as any country under the sun, is being robbed by other parts of India with which they have practically no connection. They maintain that their revenue should be used to develop their own resources. I understand that Sir Roland Wilson regards the Government form of action as justifiable, and that the Government of India takes up that attitude.

SIR R. WILSON:—The complaint was originally the other way round. The people of India complained that their revenue was being applied to make conquests and maintain order in Burmah.

MR. G. M. REEVE:—Thank you. I only bring forward the illustration to show the difficulty of applying land revenue justly. I am entirely in favour of the speaker's theory of social statics. There is another point. There is a possibility of getting at

this question in a different way. You can say that the sole end of production is consumption, that wealth is produced only in order to be used. Now if you take a piece of land on which you can produce 100 units of wealth with 100 units of labour, and another piece, on the margin of production, where 100 units of wealth are produced by 120 units of labour, the value of 100 units of wealth is the equivalent of 120 units of labour in each case. Well, on the theory that wealth is only produced for the consumers, they should only be charged in the aggregate for the total number of units of capital and labour expended. As it is, if 120 units represented the amount of capital and labour required to produce a given amount of wealth on the margin of production, the consumer would have to pay at the same rate for all the wealth produced not on the margin of production; and on the theory that production is for the consumer, that is not right.—The same theory applies to other industries. It often happens that, in certain trades, such as banking, a privileged position, not necessarily amounting to monopoly, is obtained by some individuals or corporations. Dividends of 25% do not come about in the ordinary course of competition. I should like to ask the speaker whether he would advocate, say, a progressive tax on dividends, as a corollary to his proposals with regard to the land.

Sir R. WILSON: No. I should draw a very sharp line between an ordinary or manufacturing industry and the Land Question.

After a few words from Mr. WILLIAM CARTER—

Mr. W. P. W. PHILLIMORE said :—I must confess to very considerable surprise when I heard Sir R. Wilson's paper. Knowing how good an Individualist he is, I was astonished to find that he has gone over to "our friend the enemy." Socialism of a sort nobody objects to; voluntary Socialism I think we are all in favour of, but compulsory Socialism some of us object to,

and we still hold an Individualistic view, even as regards land. Now Sir R. Wilson talks a good deal about the "State" and the "Community." Well, after all said and done, the State only exists to maintain peace. If it is to be more than that, we are creating a body which will be composed of political place-hunters and Jacks in Office, who would exploit us all for the benefit of themselves and their own particular friends; and in process of time history will repeat itself, and the official class will gradually become the landlords of the future, who will let out the land to individuals. I do not read the history of land in this country in the same way as Sir Roland does. I think he is essentially wrong, and that the whole course of the tendency in the history of land for the last 600 years in this country has been to get rid of the conception of the State being the supreme owner of the land and to divide it into small holdings. The legislation of last year goes far in the opposite direction, by attempting to carry out what is Sir Roland Wilson's theory, that the unearned increment must go to the State for the benefit of us all. Sir Roland is willing to make the landlord an allowance for decrement, and to that extent there is an element of honesty in his theory which is distinctly lacking in that of Mr. Lloyd George. He attempts to ascertain what the unearned increment is; and, in doing so, he exposes us to officials who are trying to get at a purely fanciful resolution of this theory. So careful is the Government to protect the present owners that they prescribe, in order to arrive at the site value of land, that we must make allowance for what it will cost us to remove everything on the land; in other words Mr. Levy will have to allow for the removal of this house and even the fruit trees and gooseberry bushes in his garden. If there is a ditch round it, the land must be replaced, in theory, in the position it was before, and the ditch filled up. Sir R. Wilson says he wants to treat the landowner very lightly. He is to have a period of peace of fifty years. Now



the difference in value between an absolute freehold and this minus the reversionary value some fifty years hence is very small. In fact, it is hardly worth the consideration of practical men. I venture to think that a proposal of that nature will not commend itself to those who say landowners have no title to the land. If their title is bad, why give them fifty years? Now is the time to rifle, rob, and plunder. There are, as matters now stand, many different ways of holding land, such as absolute freehold, leasehold, manorial tenure, gavelkind in Kent; and a further experiment in holding land, in the Garden City, is apparently working out very well in that particular district. All this experimenting as to the best method of holding land will be done away with. We shall be handed over to a Board of Land at Somerset House, regulating in one hard and fast line, all over the country, how the land is to be dealt with. I am inclined to think that the history of the last 600 years, which has been towards getting rid of the conception of land ownership introduced by William the Conqueror, is not to be lightly thrown away by replacing this by a board of officials. Have free trade in land all over the country. Do not let it be tied up for a longer period than is absolutely reasonable; and I think that we shall find that the position of the landowners and the taxpayers in this country will be infinitely better than that complicated system of land ownership by the State, with the appropriation of unearned increment, suggested by Sir Roland Wilson.

On the motion of Mr. Levy, the debate was adjourned to the following Thursday, the 3rd November.

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At the resumption of the discussion Mr. FRANKLIN THOMASSON, V.P., again presided and said, in opening the proceedings:—Ladies and gentlemen, we are here this evening to continue the extremely interesting debate on Sir Roland Wilson's



paper, begun on Thursday last. We are, I am sure, anxious to hear Mr. Levy's opinions; but, before I ask him to speak, I will endeavour to explain what I regard as the issue which is before us. I agree with Sir Roland Wilson in his fundamental conception of the duties of a State. These duties, so he and I think, cannot be properly fulfilled so long as we have private property in land. But, in doing away with this injustice, we must be careful that we do not become guilty of another which might prove a greater one in the end. In righting matters, evil of some kind appears unavoidable. The choice between evils seems to be the question with which we Individualists are faced. Were we setting up a new State, we would certainly not start a system of private property in land; but, where it already exists, we have to deal with a social evil, the remedying of which must entail sacrifice of some kind. Having thus sketched to you what seems to me the problem which we are met to discuss, I now call upon Mr. Levy to tell us his views.

Mr. J. H. LEVY said:—Before I take up the thread of debate on Sir Roland Wilson's paper, let me thank my friend for the great service he has done to the cause, by raising this question of private property in land. It is the Achilles' heel of Individualism—the vulnerable point which, if it be not safeguarded, may prove fatal to our cause. The division of opinion upon it among Individualists has done more than anything else to discredit and paralyze our efforts; and if we cannot arrive at some formulation of principle with regard to it, our cause—at all events in the near future—will probably be a lost one. It is therefore eminently necessary that we should do our best to clear up the difficulties which stand in the way, so that we may be able to say, with something like a united voice, what is the position taken by Individualists on this basic and momentous topic.

And I must personally tender my acknowledgments to Sir Roland for the compliment he has paid to me in making my position the chief object of his attack. I can assure him, and you ladies and gentlemen, that I am not in the slightest degree ruffled by his having made this choice. On the contrary, I believe that my position is impregnable; and I am grateful to those who aid me in demonstrating this by bombarding it. The heavier their artillery, the better am I pleased; for they will either render my standpoint untenable—in which case I will admit this and retire from it at once—or they will add one more proof that it is invulnerable.

Moreover, I have the confession to make that my position, on the side attacked by Sir Roland Wilson, was not well defended, because it had not been assailed. Fighting in vindication of an unassailed thesis is apt to look like sparring at vacancy, and one can get no attention to it—especially from southern Englishmen, who exercise an economy of what they call “abstract” reasoning adamant in its stolidity. I am, therefore, very grateful to my friend for preparing for me an arena and constituting himself my antagonist. I do not know that he has quite bargained for what I believe will be the result; but I can promise him, at all events, that—so far as the time I can dare to take allows—he shall have no ground of complaint that what he has so charmingly written has not met with serious treatment.

And now, ladies and gentlemen, I would first of all direct your attention to the second paragraph of the third section of the paper.\* “Two of the writers,” he says, “with whom I have been in general agreement thus far here desert me. I mean the late Mr. Herbert Spencer, and our friend and host Mr. Levy.” To this I must most emphatically demur. I am not, and I do not believe Herbert Spencer would have been, in general agreement with the first two

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\* See page 18.

sections of my friend's paper. It would be much nearer the truth to say that I am in general disagreement with them. Indeed, you need only turn to pages 7 and 8 to find the acknowledgment that I dissent from the general scheme of nationalization put forward by Sir Roland, by which the landless now would remain landless still, by which those who are not landless now would be made so, and by which a system of taxation would be set up under which the poorest seamstress or casual labourer, living on a starvation wage, would be charged as much as a Baron Rothschild or a Duke of Westminster; and this because our friend finds it "impossible to say that the poor are more benefited than the rich, or that the rich are more benefited than the poor, by just laws well administered."

"Just laws well administered" indeed! O Justice, Justice, what sins are committed in thy name! Our friend is well aware that "justice" is one of the most slippery terms in our language. The organ of the Social Democratic Party is called "Justice." As John Stuart Mill contends ("Utilitarianism," Chap v.) "justice" undefined is an ambiguous oracle. But our friend, throughout the first section of his paper, uses it without definition or explanation, and tacks on to it whatever results he desires to attain. It is a facile mode of argument; and is very successful when those to whom it is addressed wish to arrive at the conclusions advanced. The Personal Rights Association has defined what it means by "justice," in so far as this is attainable by government. It asserts "the principle of the equality of all citizens before the law, without regard to wealth, birth, sex, culture, race, religious belief, or any other circumstance whatever save the responsibilities which are implied in respect for the rights of others. It would maintain government just so far as, but no farther than, is necessary for the maintenance of the largest freedom; and, in applying this, would have equal regard to the liberty of all citizens."

In my "Outcome of Individualism," which is the object of my friend's criticism, I have shown that the principle of public property in the raw material of the globe and private property in the products of human labour and waiting, follows from that of equal freedom. John Stuart Mill says:—"It is no hardship to anyone to be excluded from what others have produced: they were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed at all. But it is some hardship to be born into the world and to find all Nature's gifts previously engrossed, and no place left for the new-comer." It is more than a hardship. It is injustice so gross that, were it carried out in its entirety, rebellion against it would be instantaneous and general. Had not the principle of nationalization of land been partly carried out, by public roads, streets, footpaths, waterways, and open spaces, the landless poor would not only be unable to move about without payments, which they might not be able to afford, but would have no place on which to rest the soles of their feet. To some extent this state of things has been realized by the Vagrancy Acts; for the poor, driven off the land, have had their homeless wandering turned into a legal offence, and have been forced into the ranks of the criminal classes.

My friend says that my argument against the equal taxation of rich and poor "is plausible as a piece of logic; though the course of action to which it points is hopelessly impracticable." I was astounded to find this threadbare old fallacy—the threat of practical consequences in answer to a logical argument—in the paper of so cultured a man as its writer undoubtedly is. Sir Roland will find this fallacy mentioned, as one of the species *ignoratio elenchi* in some of the old logic books: I think in Whately. Moreover the statement of consequences is ludicrous. I have never advocated that the rental fund of the United Kingdom "should be dealt out in equal cash payments to every



man, woman, and child"; and I deny that the distribution of such a fund should be world-wide, as Sir Roland asserts. If he thinks that the distribution should, in fairness, be world-wide, why does he propose that the fund should be devoted to the payment of British taxation?

With regard to the so-called "Historical" section of my friend's paper, I have only this to say: it is not, in any sense, a history of private property in land. The genesis of the present state of things in England is not without its importance; and I would call special attention to one of its most recent incidents—namely the transfer, during the last four decades, of a large portion of the hereditary burdens on land to the shoulders of the general taxpayer, under the pretence of relieving local taxation. Land-values have thus been increased, at the expense of the landless classes, by a sum probably equal to our national debt. I have been crying in the wilderness against this iniquity since the early seventies of last century; but the land nationalizers have been too busy, blustering and threatening all sorts of violence, to keep efficient guard over the land-values belonging to the people of this country. These incidents of plunder, however, which become more numerous, on the whole, as we go back into the record of the past, do not disclose the fundamental origin of private property in land, which, as I shall show, has quite a different source. The land question is as insistent in the United States as it is here, though Sir Roland Wilson's historical sketch has no reference to that country.

I now come to the part of my friend's paper which is headed "Practical." Before, however, I deal with that, I would like to say a few words on one of our terms, "land," the ambiguity of which is a constant source of fallacy. I recollect a dinner of the National Liberal Club Political Economy Circle, at which a well-known economic writer argued, and argued successfully, for land nationalization in one sense of the term "land," and then applied this in another



sense of the term. When I had risen and pointed this out, his argument was demolished for all those who accept the arbitrament of reason. But there is a silly idea among some people that a long and elaborate argument, perhaps consisting in the main of merely literary matter, needs a long and elaborate answer. I need scarcely say that this is not so. Sever one of the necessary links of a thesis, and its conclusion falls, because deprived of support. But the average man is more influenced by reiteration of statement, especially when couched in a literary or rhetorical form, than by logic which may be almost as brief as a lightning flash; and the consequence is that there are some subjects on which a man scarcely ever attains much success unless by writing a voluminous book—a wilderness through which a student has to roam, and often to roam in vain, in search for its meaning and logical outcome.

When some of us say that land should be public property, what do we mean by "land"? We mean the raw material of the globe, of whatever kind. We do not use the term in the ordinary or popular sense, in which land is distinguished from water, and in which it is confused with one of the forms of fixed capital—with such a highly elaborated product of man's labour and waiting, for instance, as the Bedford Level has become. We draw a firm line between the products of man's industry and thrift and the gifts of nature—including minerals, the original flora and fauna of a country, waters, and the atmosphere. We proclaim the right of the individual to that which he has produced, which includes the right of freely giving it or exchanging it. A thing is not fully mine unless I can make any unaggressive use of it I choose. And this implies the right of the other party to the donation or exchange to receive and hold it.

And here let me say that land values do not consist simply of site-values, though Sir Roland says\* that

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\* See page 23.

he would limit "the State reversion to the site-value." If I were to find in my garden a nugget of gold as large as that clock, it would not belong to me either in law or equity, though its abstraction would have left the site unimpaired. That gold would be economic land, which is not mere surface or cubical space. Man's existence could not be maintained on Euclidean fare. He requires air to breathe and food to eat. These he can get only from that great natural storehouse of materials—the planet on which we live. These materials, in so far as they are not modified by human labour and waiting, constitute the land of the economist. And it is land in this sense and in this sense only—which we all need and none of us has made or can make—to which no unequal moral titles of ownership can be made out.

Now let us turn to my friend's paper; and I would have you note that I am going back to the criticism of Locke.† Locke says, to quote our friend's presentment of him, that "'when an individual has taken anything out of the common stock provided by nature, he hath mixed his labour with it, and joined with it something that is his own, and thereby makes it his property'; but with the important qualification, '*at least where there is enough, and as good, left in common for others*'; and that similarly, subject to the same qualification, '*as much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property.*'"

To this Sir Roland replies "If I mix something that belongs to me with something that belongs to you, the most favourable view that the law can possibly take of the transaction is that the product should belong to us jointly. I shall be lucky if I am not punished for my unauthorized action by the whole being awarded to you."

Who was the culprit who was first guilty of this

“unauthorized action”?—a curious phrase from an Individualist. It is interesting to trace him out; for in him, or in what he did, we have the origin of private property in land. Who was the scoundrel who first mixed his labour with something taken out of the common stock provided by nature? Was it the first agriculturist? At all events he did it, whether he was first in doing it or not; and he would doubtless plead in extenuation of his crime, as Locke pleads for him, that he harmed no man and there was more than enough land for all. But we may go farther back. If I may project Sir Roland into the past, I may suppose him interviewing a primeval savage who has been gathering wild bananas.

“What have you there?” says Sir Roland.

“Fruit,” replies our primitive friend. “Will you have some?”

“It is not yours to give.”

“Why not? I gathered it.”

“Yes; but it was not yours to gather. You have mixed your labour with it, but the most favourable view I can possibly take of the transaction is that the fruit should belong to us jointly. You may esteem yourself lucky that you are not punished for your unauthorized action by the whole being taken from you.

“Unauthorized action! Whose permission should I have asked? I am hungry; surely it is not my duty to starve. I have heard that once a tree in the midst of a garden was tabooed, and that someone got into trouble through eating of its fruit. But, if *all* trees and *all* fruit are forbidden, this is harder still.”

I have endeavoured graphically to bring home to your minds that what our friend condemns is the very commencement of production. If you will look into even the most elementary book on economics, you will find that the prime factors of the production of

wealth are land and labour. Man necessarily appropriated the gifts of Nature. He could have existed in no other way. It is only as time rolls on, and men begin to multiply on the face of the earth, that natural agents, erstwhile so plentiful, now become relatively scarce, and a situation arises which involves injustice to more and more people, till at last the great majority are left in a position which is quite incompatible with equal freedom.

I hope I have not wearied you by the stress I have laid on this natural evolution of property in land. I want to show that it has not originated in crime, but was an unavoidable outcome of man's life on earth. The history of property, like that of trade, and even of religion, has been marked by oppression and violence; but this is one of its *accidentia*, not the prime factor. When you recognize this, the talk of unauthorized action and punishment, of repudiation and confiscation, loses what little force it ever had.

I now come to my friend's proposals. He cites the fact that I tax Henry George with being a Repudiationist, and says that he is one too. § We have thus two champions of Repudiation, instead of one. I am not sure that this adds much to the strength of the case for Repudiation. Sir Roland tells us that Governments eager to hasten the filling up of a new country have very commonly sold land. He says that this is "a mere piece of bluff," and that "posterity will be under no obligation to confirm it." Henry George, in my presence, said the same sort of thing much more emphatically—that if the State sold land one day, he would tax it 20s. in the pound the next, if he could induce his fellow citizens to do so. Now we Individualists have always argued that what it is wrong for a single person to do, it is wrong for a number of persons, organized as a State, to do. What would anybody say of me if, having sold something—it matters not what—to my neighbour, I,

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§ See page 20.



being the stronger, were to dispossess him of it, on the ground that I had discovered that I ought not to have sold it? I should expect to be branded as a common thief—or perhaps as an uncommon one, for thieves rarely reach this depth of hypocrisy. It would be quite different if I went to him with an apology for what I had done, and tendered him the purchase money—and interest, perhaps, if any considerable time had elapsed since the transaction. If the article had, in the interval, appreciated in value, I should expect to pay its present worth.

It is not necessary that I should tell my present audience that I hold, and always have held during my long public life, that the State should not sell or otherwise alienate any portion of the storehouse of Nature commonly called "land"; and that, if it sells any of the materials extracted from it, such as coal, the purchase money should not be considered as current income, but should be capitalized, so that the benefit derived from it may be used for the advantage, not merely of the present generation, but also of future ones. But if the bulk of my fellow citizens have acted on an opposite doctrine, and there is nothing in any articles of association of ours, which a purchaser might have seen, to warn him against buying, or to prevent the State from selling; then to deprive him of that which he has acquired by fair and open exchange, and in which he has, with the sanction and co-operation of the State, invested his savings, appears to me nothing short of robbery, and robbery by that very agency which was set up for the protection of citizens. If a State-conferred title, without legal flaw, be not respected, what title to property would be safe? Such action as our friend advocates would produce widespread insecurity and confusion, which ought to condemn it even apart from its injustice.

It is true that our friend, having blown hot, at once commences to blow cold. "The repudiation of a national debt," he says, "is to my thinking a matter



of which the rightness or wrongness depends upon circumstances. For rich and prosperous England, justly proud, on the whole, of the achievements of the last two centuries, in which her national debt was piled up, and reckoning her present financial credit as the main source of her weight in world-politics, to repudiate the loans which went to the winning of Blenheim and Quebec, of Trafalgar and Waterloo, of Sebastopol and Khartoum and Pretoria, would of course be both disgraceful and suicidal." I am afraid that if my contribution towards the interest on the National Debt were to depend on my pride in the achievements summed up in the words Sebastopol, Khartoum, and Pretoria, not much of it would go into the Imperial Exchequer. To make our obligation to repay what we have borrowed, or to pay the interest on it—to make this depend on our pride in the use we made of it, or the benefit we derived from it, appears to me an extraordinary piece of ethics. If I borrowed £5 from Sir Roland, spent it on champagne, gave myself an attack of gout, and felt no pride in the expenditure of the loan, I should not regard this as any ground for not discharging my debt.

Now let us see what our friend would do in the case of land. He would convert all freehold and copyhold estates into rent-free leaseholds for fifty years from the date of the Act, and would limit to fifty years leaseholds which have more than that time to run. What would be the economic effect of such an enactment? The present value of £100 due fifty years hence, reckoning interest at 4%, is  $£100 \times (\frac{2}{5})^{50} = £14$  1s. 5d. But this arithmetical calculation would not give us the market value of such reversions, for which there is little or no demand, and which I believe (and I have consulted one of the most eminent valuers in London on this point) would not be worth more than £8, or say one-twelfth of the property. But even this is too large, for it is estimated at a distance of 50 years, instead of 50 years *plus* the time it would take to obtain the passing of my friend's

Act. This, he allows, is not "practical politics" now. When it would become so he does not venture to predict. And when the reversionary value is obtained it is to be applied by the Government in relief of taxation.

If Sir Roland convinced the masses of this country that the landowners' titles were invalid, that the land belonged to the people at large, and that they were enslaved by its being withheld from them, does any sane man believe that they would be satisfied with my friend's scheme? I can imagine a working man saying to him: "You tell us that the land should belong to the whole people, that we are suffering from an 'enormous injustice.' You tell me that, half a century after the measure you propose is passed, the land would become the property of the State. What would be the use of that to me? What would be its use to my boy, who is ten years old? He would be over sixty, even if your Act were passed at once. If I have any grandchildren, they might come under its influence; but what would it do for them? You would take their share of your precious provision as their contribution towards taxation, and then our last state would no better than our first. Landless we are now, and landless we still would be. Your violence to the landlords might please some of your party friends, but it would be useless to us."

Sir Roland tells us that my own scheme is "vacillating, tentative, and partial." Sir, the more I have thought over that scheme the more convinced I have become, not only of the feasibility of its adoption, but of its success if adopted. With the exception of our friend's valiant adjectives just cited, what are his arguments as to that scheme? (1). He says that a retrograde majority might be returned to Parliament and might repeal the Act forbidding the sale of public lands. So it might, if the electors had not been convinced that the denationalization of land should not be permitted; but in this case *no* scheme for land nationalization could be made permanent.

All such schemes must rest on the conversion of the electorate to our principles; though Sir Roland swears by "All the King's Commons and all the King's Lords" that his scheme would be exempt from this risk. (2). He says that the price of reversions would rise considerably. I would obviate this by fixing the rates for reversions at the outset, and would compel sale of them, if necessary; just as we now compel the sale of the fee simple. Land is held subject to this right of purchase for public purposes. (3). He says he was not aware of any gifts of land, and he does not believe that even the best landowners would give reversions of land to their fellow citizens. He gives as his reason for this ungenerous and, I believe, altogether false conclusion that "they would expose themselves to the imputation of being generous only at the expense of their heirs." They could easily relieve themselves from this by investing a sum for the benefit of their heirs equal to the value of the reversion. Why should not they, as well as other people, save for their heirs? But even if no landowner were wise and generous enough to act as I have suggested, my scheme would still work and would bring early results.

And now, Sir, I have finished my task. My friend accuses me of setting up a scheme of vacillation. I believe that some of my old pupils are here to-night, and they will tell you that, in the sixties of last century, I was already teaching a doctrine in outline identical with that which I have put forward this evening. I was a member of the Council of the Land Tenure Reform Association of which John Stuart Mill was Chairman, and am one of the few living persons who have had the great advantage of talking over the land question with him. When George Bernard Shaw reviewed for the *Daily Chronicle* the pamphlet of mine which has been the object of Sir Roland's attack, he was so just as to say that I had "advocated Land Municipalization here before Henry George was politically born." I have written so

many articles on this subject and delivered so many lectures and speeches, and all embodying or illustrating the same principles, that I could not attempt to enumerate them. Under such circumstances, I need fear no charge of vacillation and half-heartedness. I have the sweet consciousness of knowing that I have endeavoured to do my duty, and I feel confident that your verdict will be that I have done it.

MR. F. EVERSHED :—After hearing two such doughty debaters as Sir Roland Wilson and Mr. Levy give vigorous expression to antagonistic views, one hesitates to interpose, fearing to be crushed, as it were, between the upper and lower millstone. Both disputants start from a supposed ethical principle, viz., that what no man has made, no man may rightly appropriate, unless there is abundance for all. Now it strikes me that there must be something amiss about this principle, since it is so difficult to apply, and leads to such different conclusions in the hands of two such experienced Individualists. I imagine this philosophical distinction between land and its products must have arisen when agriculture was the predominating industry. The farm is hardly at all depreciated by the removal of grain consisting, for the most part, of elements derived from the atmosphere. But since their removal does not appreciably impoverish the land and fresh crops can be grown in their place, this objection may be waived. Strictly speaking there is an inconsistency in denying the right of private property in a cultivated field and permitting it in a loaf or a table, for in all three there is an element of labour and also an element of "land." The growth of the corn or the tree is due to Nature, rather than to Man. But what about minerals? In removing coal, for example, we are removing, and presently destroying, part of the land itself which can never be replaced. Surely, if the State is trustee, it ought to limit the use of coal and eke it out for the benefit of future generations. [Sir Roland Wilson :



I expressly said in my paper that this should be done.] It may be said of coal that at present all but a fraction of its value is due to the work of man's hand. But this cannot be said of diamonds, which owe more of their beauty and value to the optical properties conferred on them by Nature. How can your ethics justify private property in diamonds? [Sir R. W.: I assume the difficulty is sufficiently met by a royalty payable to the State.] Well, I think there are insuperable difficulties in attempting to separate Nature's share from Man's. I doubt whether earned and unearned increment can be separately valued except in a very arbitrary manner. The total value of an estate is likely to be greater than the sum of the values of the bare land and the improvements, just as the value of a factory in work is higher than the sum of the values of the buildings and the various machines if sold separately. Owing to these and other difficulties, our leading Individualists are compelled to compromise. Sir Roland Wilson's ideal compromise seems unjust to the present landowners, and is also open to the objection raised by Mr. Levy that, in using the rent in lieu of taxes, he is in effect levying a poll-tax. Mr. Levy's own plan, to which he is driven by his conscientious desire to do no injustice to the landowners, seems to me, as to Sir Roland Wilson, an ineffectual application of the ethical principle with which he starts. It is as though, after a passionate exhortation to veracity, he were to say that, in the atmosphere of deceit which has been allowed to permeate society for so long, the only thing to be done is to be truthful for half an hour a day. A moral principle so limited in application might as well be dispensed with. His, and Sir Roland's "ethical" objection to private property in land seems to me to arise from a sentiment which, although it appeals more or less to most of us, may be a false sentiment. It is not so universal or deeply seated that it should be held sacred or allowed to stand in the way of a consideration of the Land



Question in the light of practical experience and reason. So far as I can see, expediency, using the word in its widest sense, points to private ownership as giving the best security for economic and social development. Utility, as revealed by experience, must be the final test of ethical theory.

Mr. J. RIGBY SMITH said:—I am very unwilling to speak on the Land Question. Forty years ago I read a paper on the subject; but experience has since taught me to avoid it. The question of the meaning of the word "justice" reminds me that I was once at a meeting where a working man rose and began talking of "joostice." A member of the audience quietly said: "Justice, what is that?"—"Joostice!" exclaimed the working man; "Not know the meaning of joostice!" We are in a similar difficulty with the phrase "Land Nationalization." What does it mean? It is no more intelligible than the word "abracadabra." You cannot nationalize anything till you have a nation. There is a lot of spade work to be done ere we shall have a nation. We are really living in a predatory state. While this continues, the idea of treating delicate questions, such as the Land Question, only adds to the chaos. In India they have land nationalization. Liberty has never taken root there. The ownership of land in England has created a class powerful enough to resist bad laws and to lay the foundations of liberty. When the present inefficient mode of discussion is abandoned, then and then only shall we be able to deal usefully with these advanced problems.

Mr. J. K. PAGE (an old pupil of Mr. Levy) said:—As there seems to be a pause, I will venture to quote the peroration of a speech I heard Mr. Levy deliver on this subject very many years ago. He said: "It [*i.e.*, private property in land] is condemned by justice; it is condemned by economic considerations; it is condemned by history; it is condemned by what I may call the underlying conscience of mankind; it is con-

demned by the Book from which the peoples of Europe and America profess to take their moral teaching. 'The land shall not be sold for ever; for the land is Mine.\*' You did not make it, landlord; neither did any of your predecessors in title. It is the original heritage of all mankind. And so sure as men progress in intelligence and right feeling will the unequal rights which constitute private property in it come to an end." This so impressed me at the time that I have never forgotten it.—I would like also to ask if such a drop in the rent and value of agricultural land as set in about 1880 and continued for some years would not, under a system of land nationalization, fall very heavily on the unfortunate taxpayer?

MR. REEVE :—Would Mr. Levy be in favour of repealing the Agricultural Rating Acts?

MR. LEVY :—Mere repeal of the Acts which have, during the last four decades, enormously increased land values at the expense of the general taxpayer, under pretence of relieving local taxation, would not undo the injustice, and would do another. The relief from this annual burden on land increased its value, to its owners at the time of the enactment, by the capitalized value of the remission; and repeal would decrease the value of the land, to its owners at the time the repealing Act was passed, by the capitalized value of the burden shifted to them.—I would, so far as I could, exact restitution to the uttermost farthing of the increased value of the land obtained in this way. Those who engineered this legislation knew what they were doing. Their own language convicts them of that. But they succeeded in this gigantic fraud because those who constitute the electorate could not be made to understand the real nature of the transaction; and what would be the chance of making them understand it now? They have sent economics to Jupiter or Saturn, and have paid and are paying very heavily for its travelling expenses.

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\* *Leviticus*, Chap. 25, v. 23.

THE CHAIRMAN then called on Sir Roland Wilson to reply.

SIR ROLAND K. WILSON : I will first deal with those who criticized the views held in common by Mr. Levy and myself. Mr. Carter mentioned the fact that land sometimes falls in value. But this is surely a point in favour of nationalization. Is it not much easier for a whole nation rather than a part of the nation to bear such a loss? Mr. Rigby Smith spoke about India. It is true that the Indian Government does act as landlord over a large portion of the land, but in a manner that does not fulfil the conditions laid down in the paper I have read. The Indian revenue system is not the system proposed here. I say : "The action of the State as supreme landowner should have been limited, generally speaking, to (a) the preservation of open spaces to whatever extent may be thought desirable, (b) letting such portions of land as are adapted for exclusive use, at the best rent obtainable, or rather at such rent, and under such conditions, as to cultivation and building, as will bring in the largest permanent revenue consistently with public health and convenience." Elsewhere I say that the system must be such as to secure the full value of improvements to the improver. The Indian Government has not done this.

Mr. Smith says that in order to carry out nationalization you must have a nation. He is right, But have we not approached sufficiently to a nation to begin taking steps? I agree with him, till the time of Elizabeth. At the end of her reign State consciousness was but beginning, and was not in any sense developed till the time of Charles II.

Mr. Evershed offered his own answer regarding the table; but I should answer it rather differently. In the table there are the two elements as in other things. If rent has been paid by the person who owned the tree, then there is a right of property in the table. I would include minerals with other land;

but the State would make special terms with a man who proposes not merely to cultivate but to remove part of the land. Perhaps Mr. Levy's plan of using such rent as capital is best. The State should let for long terms or short terms; but never in perpetuity. With regard to coals, the question of exhaustion is rather speculative, and other powers may come to be used before the coal supply runs out.

Mr. Levy complains that I have not defined "justice." I do not mind accepting this Association's definition, though I have never found that it helped us much to arrive at a unanimous decision about any problem. Mr. Levy spoke of the landless poor still being landless. I only propose to lease that portion of the land not wanted for public purposes. If ever public policy is thought to require a freer access of poor people to the land than letting to the highest bidder will secure, that will be a public purpose. But, of course, the financial needs of the State at any given moment will have to be balanced against other considerations. Mr. Levy seems to think that applying rent in relief of taxation will not help the poor. But, if you have a common fund, secured by the action of the State, you have no right to put taxation on either rich or poor till that fund is exhausted. With regard to the equal distribution between every man, woman, and child; the passage I refer to is on page 44 of "The Outcome of Individualism": "All persons do not want direct access to the land for the purposes of production; but those who have not this access should be at liberty to recoup themselves by the exchange of this right for a portion of capital, or in any other way not subversive of the rights of others." His alternative, I take it, is occupation, or economic use, or a distribution in cash. Mr. Levy has given an imaginary historical origin of private property in land. If a primitive man said to me: "I have gathered these fruits," my answer would be: "I have nothing against you, because there is as good land left. But I say in my paper: "The fact of a



man having enclosed land at a time when nobody wanted it, cannot give him a right to keep it enclosed when many people want it." And later "*since it is certain that the two elements are there*, the roughest, most arbitrary division must be a nearer approach to justice than assigning the whole of the mixed product to one party." On consideration, I think it might happen that, when you had made the division, it might be found that 99% of the value is a product of man's labour and waiting, and only 1% the raw material of the globe. It would be better to say that anyone who claims as his product more than 50% should have to bear the burthen of proof. If you read my historical sketch, at least as regards England, you will find that matters have never been right. In the beginning the strong appropriated not only land but labour. Almost all questions were, in the beginning, questions of political authority. Payment for the work of government was taken in the form of forced labour on the land, or a share of the produce. The private ownership which took the place of this system was preferable, but inferior to what might have been.

Now we come to the question of repudiation. The proposition with regard to the National Debt to which Mr. Levy takes objection as immoral, in that it took account of the manner in which the borrowed money was spent, whether beneficial or otherwise, is in accordance with the principle on which a Court of Equity acts when it sets aside a contract as *ultra vires*. The party in whose favour it is cancelled must pay for any benefit he has enjoyed under it. In dealing with my opinion of his remedy, Mr. Levy has misunderstood me. I should not think of accusing such a man as Mr. Levy of vacillation. My criticism imputed vacillation to his hypothetical Parliament. If Parliament says: "We know it is wrong for him to hold this land; but we are just going to ask him to give it back if he wishes," I say that is vacillation. In dealing with transactions which took place when



the State was very imperfect, we must put some limit to one generation's power to bind successive generations. As to the objection that the value to the State of the reversion after such a time-limit as I propose (30 to 50 years) would not be great, I am only concerned with what is just, not with the greater or smaller profit to accrue therefrom. The increased value of land, through an increasing population, I do not admit to be socially earned. It is earned by no one in particular and what belongs to nobody belongs to everybody.

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Mr. Greevz Fysher was unable to attend the debate on the above question, opened by Sir Roland Wilson, and was accorded the opportunity of writing what he had to say on it. Mr. Evershed, being dissatisfied with his speech, was also allowed to supplement what he said in the debate, by way of comment on Mr. Fysher's paper.—Sir Roland Wilson and Mr. Levy replied.

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#### J. GREEVZ FYSHER.

The struggle of life against inimical forces is much more successful when a species acquires so much sympathy and self-control as to secure a good deal of mutual aid. In the case of a reasonable animal, the assistance of the immature is largely emotional or instinctive; but, in human society, the mutual help of adults is mainly and best brought about by voluntary and purely selfish exchange. Division of labour is automatically secured by the operation of the open market. Each sells to him who has the most effectual want of his product, buys from him who has too much of any valuable. All this commerce can best be conducted under a conventional liberty and justice amongst the members of the species. A great part of this results from toleration which includes a recognition of appropriation of inorganic, vegetable, and even animate materials and beings, when these are sufficiently dissimilar from

members of the species itself. Thus one man allows others to own bricks, trees, sheep, and horses, and expects from others equal toleration for himself. Without mutually tolerated appropriation, alimentation itself would be impossible, and so would industry and commerce.

The theory of Socialism would subordinate personal liberty to collective control; and some who profess Individualism would control property in land through regulation by local governments or by all mankind.

Public property in land, as well as private ownership, implies enclosure, which is essential for its utilization. But the argument for the former, whether by avowed Collectivists or professed Individualists, seems equally based upon a supposed right of anyone to easy access to all land at any time.

Mr. Levy supports Mill in holding that it is a hardship for anyone to find all land taken into private hands before he was born, and considers it an injustice which would lead to revolt if unmitigated by open roads, parks, &c.; but neither of these authorities deals with the quite conceivable case where the new-born might find himself in an isolated area, in which all the land was already fully occupied in yielding a scant support to the existing population, nor do they allot the assumed injustice in such a case either to the occupiers of the land, who may be said to exclude him from access to any, or to his parents for introducing him to a condition of poverty.

Sir Roland Wilson admits that common property in movables is useless; but this must apply also to land, because its utility depends upon occupation, which must interfere with the assumed right to use it all in common. He claims it necessary to prove that Government ought to tolerate exclusive tenure; but, on the other hand, this is a normal human custom which usefully precedes all government, and is part of every incipient moral code.

Mr. Levy holds that all raw material is in effect part of the land, and that this must not be private

property—on the law of equal freedom, which nevertheless, he says, secures private property in all the products of labour and waiting. But the products of labour and waiting are only modifications of raw material; so this theory would logically allow property only in abstract characteristics, and would refuse it in concrete matter. In some cases the modifications are far more valuable than the raw material, but in others quite the reverse. It is assumed both by Mr. Levy and Sir R. K. Wilson that there are certain sorts of valuables from which no man (or other animal) has a right to exclude all others, and that consequently each and all have an equal and perpetual right of access to them. But this is manifestly impossible, even in relation to raw land itself; because each man must exclude all others from the spot under his feet, and, in relation to material, because the same piece of food cannot nourish two animals at the same time.

Competing individuals are not each responsible for the birth of the others; and though sympathy may inspire one with generosity, there is no valid claim to sustenance conferred by birth and life alone, unless it be against the parents. Why should multiplication of neighbours weaken or vitiate the title of the early comers? He who plants himself in an unoccupied position interferes with nobody; but those who disturb him in the slightest degree tamper with the foundations of justice. The difference between land and other valuables is insufficient to establish a special code for each.

Where population is very thin, compulsorily combined ownership of land would be needless; as administration of unoccupied land would be profitless. On the other hand, where population is as dense as the land can support, it is not possible to admit any late comers to a share or to a claim. It is no worse to starve new arrivals than old residents. This is true whether land is public or private. Land ownership does not necessarily make the landless

destitute; the owners greatly depend upon them, and they can make terms often quite lucrative, as in the case of many professions. Landless men are richer than other animals with land in common. Industry depends upon ownership, and has raised the whole human race from brutish poverty.

Wanderers are not always harmless; and they might have to be restrained even if all land were public property.

Simplicity in government is necessary for progress in liberty and industry. But an artificial distinction of land from other forms of wealth introduces harmful complexity. Can it be wrong to own a clay-pit and yet right to own bricks?

It would be dangerous to attempt to vest land in the public. Its administration and distribution would be corrupt, inefficient, partial. It would be more disastrous than existing interference with private action, such as letter-carrying, education, etc. Individualists surrender their case by claiming that there is any sort of wealth which must be owned by society as a whole.

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Sir ROLAND K. WILSON.

Mr. Fysher says truly that "without mutually tolerated appropriation, alimentation itself would be impossible and so would industry and commerce." I said much the same thing in the paper that he is criticizing! "Most land is capable of serving a great variety of useful purposes, but will in fact serve none of them unless the necessary exertion is evoked from individuals by the hope of adequate reward." But the main purpose of my paper was to show that, if there is to be "mutually tolerated appropriation," it must be on terms that are fair to all parties, and that no terms will satisfy this condition which do not secure compensation from those who are allowed the use of the best lands to those who have inferior land or no land at all.



Mr. Fysher does not, I think, profess to be an out-and-out Anarchist; and he must, therefore, approve of the State intervening at some point to check appropriations which would be unfair to others; but his letter gives no hint as to when that intervention should take place, and on what principle. Is toleration to be mutual when I appropriate nine-tenths of the available land, leaving one-tenth to you?

He offers no argument to show that the "tenure" which I prefer is less conducive to effective utilization of the land than the "ownership" on which he insists. I say that it is more conducive; because the State tenant, who is guaranteed the full benefit of the value that he can add to the land by his own exertions, *and of that alone*, has a stronger motive for exerting himself than the owner who can generally get something in the way of rent without exerting himself at all.

If our friend chooses to describe this tenure as only "property in abstract characteristics," I have no objection. My own formula: "Site values to the community, improvement values to the improver," implies as much; but it must be remembered that this 'abstract characteristic,' or 'value,' is just as capable of affording a substantial income to its possessor as if he were able to boast, without qualification or circumlocution: "This land on which I am standing is mine." So the person whose name is entered in the books of the Bank of England for £1,000 Consols may be described with equal propriety as the owner of a mere abstraction; but he will not mind that, so long as he gets his interest in due course.

It is true, as Mr. Fysher says, that somebody must starve, whether the land is public or private, if the population increases faster than the production of food; but if the land is public, and let to those who pay the highest rent, because they can get most out it, production is maximized, the necessity for taxation minimized, and the prudential check to excessive multiplication is applied in the right quarter—the



least effective workers being the first to feel the inconvenience of a large family.

"Can it be wrong to own a clay-pit and yet right to own bricks?" Yes; certainly. Though it is true that in the brick, as in the clay-pit, there exist the two distinguishable elements of earned and unearned value, of labour and raw material, not only is the unearned element extremely small in the case of the brick; but, whether large or small, the payment due in respect of it to the community has already been included in the rent paid (under a proper land law) for the clay-pit from which the raw material was extracted.

Lastly, land administration by the State, by the method that I recommend, would involve neither more nor less of the evils of officialism than the present business of collecting taxes; and the more we can get out of land rents the less work there will be for other Inland Revenue officials.

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FRANK EVERSHERD.

The Editor having shown me Mr. Greevz Fysher's letter and kindly suggested that I should comment upon it, I gladly take the opportunity of adding something to the views I put forward too briefly, in the debate on Sir R. Wilson's paper. In former days I often had occasion to admire the thoughtful and business-like articles of Mr. Greevz Fisher, and am glad to find that changing his name to Fysher has not affected the sobriety of his views on land. I am for the most part in agreement with his present contribution, and am therefore tempted to direct an argument against certain of Mr. Levy's views. In criticizing his theory rather than Mr. Fysher's, which is not sufficiently provocative, I hope I am not unduly stretching the privilege given me.

I do not share Mr. Levy's indignation that a new comer into the world is liable to find all the best land appropriated. Surely if complaint is to be made that

he is deprived of his natural share of economic land (not a very large inheritance) something must be said *per contra* of the advantage of being born into an advanced industrial society which he did not help to create. And if, with this advantage and his parents' sacrifices for him, he is unable to earn a living, how much of his misery is due to private property in land?

That land is not *the* necessary of life, but only one of the necessities, was forcibly shown during the recent strike of carmen and railway men. Many of the inhabitants of Lancashire were brought within sight of starvation, but not for want of land. How would they have been better off under a system of national land control? Individualists should always bear in mind that mutual dependence is the order of the day. The *possibility* of a strike of some section of workers hitherto producing a necessary of life, is a risk we must necessarily incur (and Socialism could not prevent it) as the price of the enormous benefits we get by division of labour and specialization. Among the possibilities is a combination of landlords to withhold part of the land and so command an exorbitant rent for the remainder. But obviously this could not take place so suddenly as an industrial strike and, perhaps fortunately, landlords show no inclination to combine. If, however, the State owned the land, it would be a perpetual monopoly in the strict sense of the word; and a monopolist has the power of driving a hard bargain.

I particularly like Mr. Fysher's article because he applies himself directly to the practical aspects of land ownership and, with the doubtful exception of a paragraph or two, does not embarrass himself or his readers by straining to make his policy conform to an *à priori* ethical principle, which, in the present state of ethical science—or no-science—would be pretty sure to be ill-defined and ill-founded. This seems to me to be the case with the principle adopted by the followers of Mill and Spencer, viz., that gifts of Nature must not be *permanently* appropriated, or at

least not when there is likely to be competition for their use. Rather a halting principle it would seem, and it becomes more complicated as we go on. "No man made the land," says Mill. But on another page (which I cannot find at the moment) he points out that man cannot create any material object whatever.\* All he can do is to move matter from one position to another. The forces of Nature do all the rest. Is it not obvious that the spectacles which enable me to read these words are only "the product of labour" in the same sense that a ploughed field is? There is a substratum of Nature's excellent gifts in both cases, and in both cases human labour has modified Nature's work. In this dilemma the ethicists have to admit that their principle must not be understood too literally. In short they put several glosses upon it, the most important of which is a distinction between land as a fixed site, and those parts of it which have been moved or modified by the labour of man. I am feeling after a clear definition of our friends' principle, as amended by them. The reader will see how far it is from possessing the simplicity we should expect in a moral law. But, however it may be defined, is the principle in question well founded? The mere fact that certain philosophers have a strong feeling or sentiment in favour of a certain principle is, of course, no proof that it is a true one. They must show, either that it is a deliberate generalization from recorded experiences, or that it corresponds to a universal instinct, like sympathy and honesty, deeply seated in the human conscience. Religious doctrines apart, I can think of no third foundation for an ethical principle; and I am not aware that our friends who say that private land ownership is immoral, have attempted to prove that proposition in either of the ways I have mentioned. They sometimes say that it is a logical derivative of the principle of Justice, but this only pushes the difficulty further

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\* Book I., Chap. I.—ED.

back, for Justice, when it attempts to prescribe the forms of complex social or political institutions, is itself a principle under grave suspicion of being ill-defined and ill-founded. Even Mr. Levy says that "Justice is one of the most slippery terms in our language," and I would remind him that slippery terms are generally associated with slippery ideas.

Since those who start from *à priori* principles, and attempt to deduce a practical policy from them, often find themselves on diverging roads and quickly become involved in direct arguments from utility, as was well seen in the debate between Sir Roland Wilson and Mr. Levy, one cannot but ask whether these elastic and shifting first principles might not with advantage be dispensed with, leaving the landscape clear for the search after utility. Instead of the formula "Whatever is moral must be useful," why not adopt the more practical formula "Whatever is useful is moral"? These complex problems, remember, like the Land Question, Free Trade, and Socialism, are comparatively new to mankind, at least under our present conditions of life; and it is not likely that, either in the generalizations of remote history, or in our inherited and intuitive morality, we have any trustworthy guide to their solution. Observation and reasoning, with a direct eye to utility, seem to be our only means of settling them with any confidence. And even then our conclusions must be tentative, pending the more mature experience and sounder logic of our successors.

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J. H. LEVY.

Mr. Fysher's criticisms, and consequently those of Mr. Evershed, are somewhat belated; but to me, and I think also to Sir Roland Wilson, they are very welcome, as their attack is on ground which we hold in common. And I think we both have further cause for rejoicing, as it has been proved once more that—apart from irrelevancies—our position cannot be



assailed save by an attack on fundamental morals. But when a political position is unattackable save in that way, it may be regarded as impregnable ; for fundamental morals must be postulated as the basis of political argument.

Almost the whole of Mr. Fysher's argument is irrelevant. He strikes at a position which is not mine or Sir R. K. Wilson's. And I cannot credit him with ignorance on this point. He must know that it is beside the mark to prove to us that an individual necessarily appropriates some portion of the raw material of the earth and occupies some part of the earth's surface. So long as, in doing this, the individual interferes not with a like appropriation on the part of others, our principle is untouched ; for this is not property in land in the sense in which we deny its legitimacy. The wrong commences when the appropriation passes these bounds, and when others stand outside lacking their equitable share in Nature's gifts—when the appropriation exceeds, it may be, what the appropriator can himself use, and when he stands between the surplus and those who need access to it, and demands to be bought off, or paid an annual ransom for that which neither he nor any other man has done anything to earn.

Mr. Fysher talks about the need for simplicity in government, and the evil of government interference. But this artificial and inequitable property has given rise to the greatest complexities and perplexities, as the history of our land laws will show ; and it would not exist save for government interference. The evil is one which naturally grows out of the primal appropriation of natural objects ; but its sustentation when it has passed into landlordism is a creation of law—law against which the moral feeling of the masses has been in a constant state of rebellion.

Mr. Fysher says that the argument for public property in land is "based upon a supposed right of anyone to easy access to all land at any time." It is based upon nothing of the kind. He can show nothing



in my utterances, or in those of Sir R. K. Wilson, to sustain such a monstrously absurd contention; and he has not even attempted to do so. He says that the utility of land "depends upon occupation, which must interfere with the assumed right to use it all in common." There is no such assumption of right in the matter he is criticizing. It is a creature of his own imagination, set up by him for the purpose of being knocked down. And the utility of land does not always depend on occupation. Clearly that of our streets and roads does not; and many a bare mountain or moor, useless for purposes of occupation, is useful for travel and recreation, if unenclosed.

I may now leave irrelevancies and misstatements of the above kind, and pass to the material portion of Mr. Fysher's argument. "He who plants himself," we are told, "in an unoccupied position interferes with nobody; but those who disturb him in the slightest degree tamper with the foundations of justice." Now this, I acknowledge, means business. But, unfortunately, we learn nothing more about these "foundations of justice"; and our natural curiosity to know whence they come and what they are receives no satisfaction. Mr. Evershed particularly likes "Mr. Fysher's article because he applies himself directly to the practical aspects of land ownership and, with the doubtful exception of a paragraph or two, does not embarrass himself or his readers by straining to make his policy conform to an *à priori* ethical principle." But here we have the very point in dispute—the right of the first comer to proprietary dominion without limit—based on "foundations of justice" which are left totally unexplained and unsupported. If this is not "an *à priori* ethical principle," it is because it does not deserve to be called a principle at all. It is a question-begging phrase and nothing more—a question-begging phrase by which it is endeavoured to set up one of the most inequitable pretensions which ever entered the mind of man.

Mr. Fysher is aggrieved with Mill and myself because neither of us "deals with the quite conceivable case where the new-born might find himself in an isolated area in which all the land was already fully occupied in yielding a scant support to the existing population, nor do they allot the assumed injustice in such a case either to the occupiers of the land, who may be said to exclude him from access to any, or to his parents for introducing him to a condition of poverty." Now it does not appear to me a very heavy indictment that Mill and I have not dealt with a "quite conceivable case." The number of such cases is endless; and I can very well understand that Mr. Fysher would much prefer that "authorities" should amuse themselves with them, rather than deal with the actualities of the land question. But that Mill or I can be justly accused of neglect of the ethics of parentage is not true.

With Mr. Evershed's panegyric on Mr. Fysher's contribution I have already dealt; and I can deal very briefly with the remainder of his article. This is largely taken up with irrelevancies, such as the spelling of Mr. Fysher's name; that a new comer's "natural share of economic land" is "not a very large inheritance"—which it certainly may be; that "land is not *the* necessary of life, but only one of the necessities"—which concedes all that Sir Roland Wilson and I would ask on this point; that "mutual dependence is the order of the day"; and that, in a railway strike, public property in land may not count for much.

Apart from these excursions into things in general, Mr. Evershed's article is an attack on "the ethicists." In other words, it is an assault on moral principles in general. He calls them *à priori* principles, and says that "in the present state of ethical science—or no-science," they "would be pretty sure to be ill-defined and ill-founded." But he substitutes no other principles, and commends us to a "search after utility." But surely he knows that Mill and myself—

who are the objects of his attack—base all our moral principles on utility; and the question resolves itself into this—Have we no mediate principles to guide us? Shall we base our conduct on a direct appeal to utility, or on *axiomata media* derived from utility? On this I may refer my readers to my evidence given before the Royal Commission on Vivisection. That abominable practice also is defended by a direct appeal to utility.

Mr. Evershed says that "Justice, when it attempts to prescribe the forms of complex social or political institutions, is itself a principle under grave suspicion of being ill-defined and ill-founded." But the Personal Rights Association is an association for doing the very thing which is here condemned. It maintains the principle of the equality of all citizens before the law; it would maintain government just so far as, but no farther than, is necessary for the maintenance of the largest freedom; and, in applying this, it would have equal regard to the liberty of all citizens. This is its definition of political justice. Mr. Evershed tells me that I have said that "Justice is one of the most slippery terms in our language." This is quite true. We need to be very careful that we have a thorough hold of it. But, when he reminds me "that slippery terms are generally associated with slippery ideas," I reply that he may remind me of this as much as he likes, but I shall not believe it, any more than I believe that the driver of fat oxen must himself be fat. We all have to use slippery terms; for the reason that we have to take language, in the main, as we find it. "Utility" is quite as slippery a term as "Justice."

Mr. Evershed finds *his* formula for *our* principle rather a halting one; and so it is. But it is very easy to draw up a halting formula for a principle which you wish to reject. He says he is "feeling after a clear definition of our friends' principle"; but why "feel" for it? Why not take their own? He says that "the ethicists have to admit that their

principle must not be understood too literally"; but we are given no reference to where this admission has been made. Has this method of argument been reached by "a direct eye to utility"?

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J. GREEVZ FYSHER.

Sir R. K. Wilson's position is that mutually tolerated appropriation of land must be on terms fair to all parties, which secure compensation from those holding best lands to those who have inferior or none. The State should intervene to check unfairness such as one appropriating nine-tenths of the available land and leaving another one-tenth. This assumes an axiomatic criterion of fairness. The morality of nature knows nothing of fairness. All is ruthless struggle and mutual extermination. Human animals have little compunction in appropriating the strength and skin of horses, the milk and beef of cows, the wool and mutton of sheep, the land of bison, etc.

There is no foundation of justice beyond mutual toleration of the claim of the first come to be first served; and, though one or ten men should have got hold of nine-tenths of the available seats at the feast, the tenth or second comer must, according to rule of the game, congratulate himself that he has arrived before standing room only or house full is announced.

Property in abstract characteristics of matter may be very valuable, and possibly it might be proved not to be inconsistent to allow this form of property while refusing to allow property in concrete matter; but to the ordinary mind of the man in the street this distinction must appear fanciful, far-fetched, complicated, and possibly unintelligible. No doubt £1,000 Consols may be largely or wholly an abstract thing; but a contract entitling persons to such property is an agreement arrived at in open competition by free individuals, and does not, of necessity, form a suitable and sufficient analogy for the prohibition of property of any other class.



It may, to some minds, be easy enough to analyze the value of a load of bricks into earned and unearned fractions ; but it is bad enough for common people to have to follow the fluctuations in the value of the bricks as a whole, without requiring everybody for purposes of taxation or other operations of government to take cognizance of the relative fluctuations of these imaginary components.

It is easy to allege that land administration by the State would involve no more officialism than the present collection of revenue, and it may be true. But, if taxation were as far as possible by fees for specific services of the State, it would be greatly simplified and purged of officialism, as well as being much more nearly conformable with freedom of exchange, which is such an invaluable element in the development and maintenance of industry.

Mr. Evershed is possibly too apologetic in endeavouring to trace mitigations of the alleged injustice of the position of a new-born landless individual. If there is any virtue or validity in the formula of property as dependent upon mutual toleration, then it is simply desirable that this landless one should conform to the custom of society in tolerating the appropriations of valuables, in the knowledge that his proprietorship of his body and faculties will equally be tolerated, and that if he acquires less or more wealth of valuables of any sort it will be secured to him under the same custom.

It is very true, as Mr. Evershed remarks, that we lose by attempting to conform to any such idea as that there is some inherent wrong in permanent appropriation of the gifts of nature. There is altogether too much acceptance of the sentiment that he who reaps where he did not sow is a monster of iniquity. If a man is forbidden all exclusive permanent property in things which he has not himself produced, then none could own even himself, but would be the slave of his parents who have produced him.



Surely Mr. Levy is mistaken in regarding the advocacy of private property in land as involving an attack on fundamental morals. The principles which Mr. Levy upholds as fundamental morals are far from being either fundamental or universal, as they ignore any proprietary rights of other forms of life outside the human species. Any such formula as that "the rights of all are equal or none has any" is never uttered as meaning that the rights of all animals or those of all living beings are equal. No more fundamental moral principle can be postulated, as the basis of human politics, than that those who can control themselves, who avoid coming into collision with others, and can tolerate property in others, are those alone whose own appropriations can be tolerated.

When men become clever enough to tolerate each other's appropriations, they calmly brush aside every consideration of property in other animals. The poor plants never had any chance of owning themselves or anything else. But, at this stage, man often begins to talk about fundamental moral principle. The only real fundamental moral principles, which a study of nature reveals, are that conduct leading to the increase of the quantity and quality of life is good, and that there is a struggle for existence and a survival of the fittest—or briefly, that life or might is right. All must eat or be eaten.

No doubt a wise species of animal can discover that it will be strengthened in this struggle against external forces and against antagonistic species by an internal truce; and, without endeavouring to elaborate this enquiry in full, it can be seen that the formula of mutual toleration of appropriation and of priority is a very useful one, when it can be defined in words or merely realized in practice; while any such formula as that all animals, or even members of a particular species, must have equal rights or none have any is too abstruse to have much utility.

Mr. Levy admits that individuals to live must have some portion of the raw material of the earth; but he

objects to any appropriation such as interferes with a like appropriation on the part of others. He who catches a wild horse must see that he leaves plenty for everybody else before he can retain and use his capture. None can enclose a garden until he satisfies himself there is as good a one for everybody else living. Mr. Levy says the wrong commences when the appropriation exceeds what the appropriator can himself use, and when he demands to be bought off or paid an annual ransom for that which no man has done anything to earn.

The importation into this part of the argument of the demand to be bought off or paid annually for what exceeds one's own actual necessity is beside the mark, unless every sale and every loan at interest of what exceeds the owner's needs is to be condemned. The cheapest market is always with those who offer what they don't want in order to obtain what they do. Everyone takes to market what he doesn't want. Everything depends on whether it is moral or useful for society to tolerate ownership of what no man has made. This remains the crux.

Under the statute of limitation, the Courts which represent the State refuse to hear complaints for the recovery of lawful debts which have been neglected over six years; and it is well known that titles to real estate are upheld when undisputed possession for a period of twelve years can be proved. These laws may or may not be quite in accordance with fundamental morals; but it can hardly be denied that they are useful.

The association called government, which pretends to embrace the entire population, must avoid complexity in its proceedings. The magnitude of an association is likely to be increased by restricting its platform. The introduction into the operation of the Courts of any such qualification of the rights of property as an enquiry into the part of a value admitted to be artificial as distinct from another part to be known as a gift of nature is to open the floodgates of

litigation. Settled society living industrially requires as little disturbance as possible, so that there is a continual compromise between the enforcement of rules by pains, penalties, and restitution on the one hand, and a sort of forgiveness to all who will at the moment do their best with the vested interests and proprietary rights which they enjoy. Hence property which may have been some time ago acquired in defiance of the custom of tolerating the appropriations of each other is itself tolerated rather than keep society in perpetual turmoil by research into history more or less ancient, together with the tracing of titles through long chains of descent.

Mr. Levy declares that such artificial and inequitable property as interferes with a like appropriation on the part of others, and the demand to be paid for what the owner has not earned, would not exist unless upheld by government interference—an evil which naturally grows out of the principle of appropriation of natural objects and whose sustentation is a creation of law.

The holding of property or even of life does no doubt lead to a struggle for survival; and warfare often manifests itself in the production of leaders and of government. Government actually arises out of the irregularity of each defending himself and his own property. It is a device for regularizing defence; and this defence will be the abler and the more regular the simpler be the code upon which it is based. Surely it is simpler to recognize the principle of the utility of mutual tolerance of appropriation, than to elaborate an ethic that all must own what no one can justly own, which involves some scheme of pooling the value of the entire raw earth and an attempt to share it amongst its continually fluctuating population. No doubt what is called the moral feeling of the masses—the envy of the seething irresponsible hoards by the proletariat—will often be vaguely opposed to the accumulating of wealth in the hands of the thrifty and enterprising. Land

lending and money lending are alike useful and alike obnoxious to the masses.

It may be monstrously absurd to hold that property in land is based upon a supposed right of easy access of all to all land at all times; but this is only a logical consequence of the rights which are claimed. Sir R. K. Wilson, page 67, *Individualist*, November, 1910, says: "No one can turn it to the best account without interfering with the rights of all other people to use it in common" . . . "every member of a community suffers diminution of his opportunities and infringement of natural rights when land is enclosed." Mr. Levy says: "Public property in the raw material of the globe results from the principle of equal freedom," which is in itself incapable of proof, while the principle of equal freedom is also very far from axiomatic. But these are side issues.

Those who disturb the first comer tamper with the foundation of justice, but so do those who disturb any peaceable worker, trader, or investor. Justice is avoidance of disturbance, because disturbance is very injurious or even fatal to the commerce and traffic which raises man above other animals. Non-human animals are incapable of both trade and justice. They cannot see the advantage of proprietary rights, and they cannot restrain themselves so as to be mutually tolerant of each other's appropriations. The moral feeling of the masses, which rebels against landlordism, is a reminiscence of animal want of discipline which obeys every appetite to the extent of its power. Enclosing land is only a form of hoarding up of natural or humanly modified objects, which is the very base of trade and industry.

There is no desire to beg the question by using the phrase "foundations of justice." The examination of the question takes up time and space; but Mr. Levy writes as though this elementary enquiry were still necessary after all the centuries of human progress under the institution of property. Disturbance



of a proprietor is such a terrible return to animalism that it would have to be justified by much more forcible argument than an appeal to alleged abstract right before it could be shown to be tolerable. He who lays hold upon what is not yet claimed by a fellow tolerator of property performs a harmless, useful, and even necessary operation ; but he who comes preaching abstract or other rights as a justification of tampering with this appropriation is a mischievous busybody upsetting the basis of industry. The fact that this results in an observance of permanency and dominion without limit is not at all a disparagement.

Mr. Levy approves of Mill bringing forward the instance of the new arrival complaining that he has no chance left of appropriating any land, or using any without leave of those in possession. Mr. Levy and Mill may not have wholly neglected to recognize that there is an ethic of parentage ; but yet they may neither of them have proved that a mother can confer on every child she bears a socially useful title to the fee simple of some land when all that in the neighbourhood is fully occupied. But this is only one of the three cases where a new comer finds land partly, moderately, or intensely occupied. In the first he can himself take possession of some land. In the last he can not do so without causing others to want bare subsistence. In the intermediate condition any liberty to undermine property rights is just as unmistakably pernicious, and his lot is no worse.

All sorts of poor people would gladly glorify their envy of the more wealthy (whether landowners or not) into a moral claim ; but this is not sufficient to prove its usefulness. Individualism collects a group of people who see, more clearly than the majority, the advantage of recognizing the importance of personal liberty. This requires a restriction of the activity of government in encroaching upon the separate activities of the several citizens. The manipulation and exploitation of all sorts of valuables as appurtenances

of this privacy is an inseparable branch of liberty. All arguments for publicism in property are directly antagonistic to this glorious heritage. Socialism, whether in industry or in landholding, degrades the entire population to the motives and towards the condition of savages.

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Sir R. K. WILSON.

Mr. Fysher's last letter comes very near to pure Anarchism. If the sole function of government is to help the first comer to retain what he has grabbed out of the common stock against the second comer, I take it that we could do as well or better without it.

We look to government to redress injustice, not to confirm it. I have no idea what is meant by the morality of nature. I am sorry for the ordinary man in the street if he cannot, or will not, take the trouble to understand that two or more persons may have different rights in respect of the same material object; because he is likely to find some difficulty in conducting his ordinary business. Landlord, tenant, and lodger; mortgagor and mortgagee; tenant for life and remainderman; are familiar instances. In the particular case in question, what is asserted is that, according to the law as it ought to be, the improver of a given piece of land should be entitled to the full value of his improvements, while the remaining value, if any, should belong to the State in trust for the common benefit of all mankind.

There will be no need to "analyse the value of a load of bricks into earned and unearned fractions," when once a proper arrangement has been made between the State and the lessee of the clay-pit. So long as he pays the stipulated royalty or rent, the raw material extracted during the currency of his lease will be his absolutely, to make into bricks, or to sell to a brickmaker, or to do anything else with it that he thinks proper.

I note with pleasure Mr. Fysher's admission that land administration by the State might perhaps involve no more officialism than the present collection of revenue; but his suggestion that the collection of revenue should be simplified by charging a fee for each specific service rendered by the State seems to be another relapse into partial Anarchism. What will the protection of the State be worth to a poor man, if he has first to tip the policeman and then the magistrate, to an amount proportionate to the time and trouble expended by each, before he can obtain redress for being robbed or assaulted? If Mr. Fysher says that this case was meant to be excluded by his qualifying words "as far as possible," he must *à fortiori* exclude, on the ground of more manifest impossibility, all the revenue collected for payment of army and navy, diplomatic service, Cabinet ministers, and legislators, and, according to my view of the province of the State, there would not be very much left for his system to operate on. But this is rather beside the Land Question.

Mr. Fysher is correct in representing me as basing my argument for public property in land on an "assumed right [of all] to use it all in common." I nowhere spoke of "easy access," being well aware that access to land in a state of nature, whether forest, marsh, or mountain, is apt to be far from easy, and I was speaking of the original moral right, prior to any equitable arrangement being come to between the would-be encloser and his fellow-men generally. When a piece of land has in fact been cleared, cultivated, and built upon, without leave asked on the one hand or formal protest on the other, the case is altered, but not in the sense of conferring an absolute right of ownership on the squatter. The right of all or any one of the outsiders then becomes an alternative one—either to have the fences taken down and the common use restored, the squatter being fully compensated for the interference with his expected enjoyment of the fruits of his own labour, or else to leave

him in possession, he paying to the community a rent varying from time to time according to the varying importance of the opportunities from which they are individually and collectively debarred by the enclosure; or, in other words, a rent varying with the increase or decrease of the site value as distinguished from the improvement value. The latter alternative will be generally preferred by both parties.

I imagine that what Mr. Levy considered to be "monstrously absurd" was the contention that outsiders should continue to claim "easy access" to enclosed and improved land *without paying compensation for interference with the improvements*; or (still worse) when the enclosure was made by arrangement with the State. If so, I agree with him.

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FRANK EVERSLED.

On reading again Mr. Greevz Fysher's first letter, with the criticisms of Sir Roland Wilson and Mr. Levy, and then his second letter, which I have been allowed to see before publication, I find I was quite wrong in hailing him as a man of business, come to save us from enigmatical formulæ and elusive ethics. The wish was father to the thought. There was one sentence (commented on by Mr. Levy) which should have given me pause, and this reappears towards the end of Mr. Fysher's second letter in the following extended form:—"Those who disturb the first comer tamper with the foundation of justice, but so do those who disturb any peaceable worker, trader, or investor. Justice is avoidance of disturbance, because disturbance is very injurious, or even fatal, to the commerce and traffic which raises man above other animals."

I will say nothing of the strange assumption that British landowners represent the first comers. I wish to examine Mr. Fysher's definition of justice as absence of "disturbance" of landowner or worker. This word conveys nearly the same idea as our old friend "aggression." What is aggression? What is disturb-



ance? If we were discussing Free Trade, and a worker or trader were to appeal to Mr. Fysher to protect him, as first comer, against foreign competition, which threatened to disturb him to the extent of ruining his business, Mr. Fysher, if true to his own definition, would have to admit the injustice of the industrial invasion. But as an Individualist and Free Trader, I imagine he would say:—"No, my friend, this is not what I call 'disturbance,' or, if it is, it is not unjust, for competition is beneficial to industry, and your disturbance is merely incidental." In saying so, he would be bending his principle of justice to make it fit his ideas of utility derived from his business experience or knowledge of economics. This is a good example of what I mean by an elastic principle, "ill-defined and ill-founded."

Of course, if Mr. Fysher has turned Tariff Reformer, my illustration is less appropriate to his case; but there are others whom the cap would fit, and Mr. Fysher has drawn his definition so widely that he must admit it cannot be consistently applied.

In another passage, Mr. Fysher speaks approvingly of "property as dependent on mutual toleration." But the question for reformers is, what can we *usefully* tolerate? Mere toleration of existing facts, such as the continued appropriation of land, is mere Conservatism. Mr. Fysher must justify the right of the first comer on grounds of utility or ethics before he can plead for its toleration. A slave and his master may tolerate each other, but this does not prove that slavery is right or useful.

Mr. Fysher compares man's operations with nature's; but he does not make the best or fairest comparison. He might have drawn attention to the many instances of mutual toleration or mutual help in external nature, as in the notable case of insects and flowers. Instead of doing this, he asserts that "all is ruthless struggle and mutual extermination." But if this were true, by this time there would hardly be a

living thing remaining. They would have mutually destroyed each other, like the Kilkenny cats. The fact that, where free from man's destructiveness, the animal and plant population maintains itself undiminished, and that *the number of separate species* does not diminish, suggests that mutual toleration, Mr. Fysher's own principle, is a factor in nature as well as mutual extermination.

But the whole analogy is really irrelevant to our subject. Man, the paragon of animals, can surely trust himself to make his own social plans, without consulting the lily or the bee, the tiger or the wild ass. It is surely a pity Mr. Fysher should commit himself to the enigmatical statement that "life or might is right." It may be possible, by attaching special meanings to these three words, to make out that they are synonymous; but the attempt to do this can only mislead, for, in plain English, they stand for three very different things. I must now bid a hasty farewell to Mr. Fysher, and turn to a more formidable opponent.

Because I spoke disparagingly of "the ethicists," Mr. Levy thought I had repudiated ethics and was making "an assault on moral principles in general." But it was in relation to the land question that I used the word, and I thought the context would show that by "the ethicists" I merely meant those who attempt to solve that particular question by a pseudo-ethical axiom. I referred especially to the axiom that no man should own what no man has made, property being based on labour and waiting. This is a sentiment or rule which can hardly be a true moral principle, since it is far from being a part of the general conscience of civilized mankind, and is not even capable of literal or precise application. Being an attempt to make a distinction in kind where there is in fact only a distinction of degree, it can only result in a series of compromises; and expediency has to be called in as arbitrator at every turn, as, *e.g.*, in the cases of the

clay pit and the clay, the gold mine and the gold, the cultivated field and the crop.

The thoughtful and conscientious man likes to feel that he is acting on principle. It saves the trouble of thinking out the hedonistic consequences of conduct at every juncture, and it adds consistency and dignity to life. But let us beware of spurious principles and premature generalizations. If we must have tentative working principles, let us put them forward as hypotheses, to be verified or not by future experience. This is the method that has proved so fruitful in physical science. And especially let us beware of verbal formulæ, simulating principles, but so loosely worded that they may give support to half-a-dozen different policies, whose advocates may all *think* they are adapting policy to principle, while they are in truth unconsciously moulding the principle to make it fit their notions of utility. I have often done it myself and know the process well. I am afraid this has been the case with the formula of political justice handed down to us by Godwin and Spencer, and adopted, with some verbal modifications, by Mr. Levy. It is a compound of Greatest Liberty and Equal Liberty. Mr. Levy, as editor, has generously given me space to make side attacks upon it on several occasions. On this occasion I must state my objections in brief and general form. "Greatest Liberty" (or greatest practicable liberty) seems to me to describe an end rather than a means. It presents a dim vision of a necessary condition of Greatest Happiness; it does not give us practical guidance towards the attainment of that condition. "Equal Liberty" consists of two ambiguous words, and is therefore unfitted to serve as a scientific principle. As to its vagueness, I would say of it what Mill says of Equality. In an examination of various current meanings of justice he writes:—"Nearly allied to the idea of impartiality is that of *equality*; which often enters as a component part both into the conception of justice and into the

practice of it, and, in the eyes of many persons, constitutes its essence. But in this, still more than in any other case, the notion of justice varies in different persons,"—and, I would add, in the same person on different occasions—"and always conforms in its variations to their notion of utility." (*Utilitarianism*, Chap. v.).

Now "equal liberty," which I take to be a component part of Mr. Levy's principle, as well as of Spencer's, though not the same as "equality," can hardly be less elastic. That Mr. Levy's principle as a whole is elastic, and that Mill's criticism applies to it, is, I think, strikingly shown in the recent discussion on the Land Question. Sir Roland Wilson and Mr. Levy, both setting out from this same principle, arrived at extremely different practical conclusions, being guided, no doubt, by their different ideas of utility. On the other hand, Mr. Levy, Mr. Fysher, and myself, though all differing in theory, agree in the practical conclusion that (speaking generally) the landowners of this country should, at least for the present, be left in undisturbed possession. What is the hidden magnet that has drawn us together on this question? Of course, utility.

Mr. Levy, after observing that, like Mill, he takes utility as his basic principle, says the question is: "Shall we base our conduct on a direct appeal to utility, or on *axiomata media* derived from utility"? I reply, let us have as many of these stepping stones to utility as possible, provided they come with good credentials, and are expressed in sufficiently precise language. In daily life they are indispensable. I cannot conceive how society would hold together without such habits as veracity, sobriety, industriousness, parental responsibility, mutual respect for property (legal or customary), and others. These I take to be "*axiomata media*." But in our political controversy we are not concerned with the ethics of private or business life, and the crucial question for us in politics is, can these homely virtues be so ex-



tended as to be available for the use of the statesman in his work of constructing an ideal state or improving an existing one? Of course, whatever form of government we adopt, and whatever property-laws we choose to make, we require honesty in our officials and in international dealings. The present conduct of Italy and Russia, for examples, may be judged by ordinary ethical standards. It is in *constructive* politics that the crucial question arises; and, so far as I can see, no moral axiom, short of utility, will enable us to decide how governments should be constituted, what sort of property-laws they should enforce, how taxation should be distributed, whether the State should take part in education or in industry, what sanitary laws it should enforce, etc. If Mr. Levy has any mediate axioms up his sleeve that will solve these problems, no one will welcome them more than I shall when they appear. His *Précis* on vivisection contained an eloquent plea for the use of mediate axioms, but was disappointing in that it gave no specific instances of such axioms and their application.

For the present, then, I must take my stand on utility as the direct basis of politics. I do not mean by this that we must begin politics again, *de novo*, or that we must judge each case "on its own merits" in a purely empirical manner. We have already, by induction from experience, reached certain fairly definite generalizations, such as the utility of free speech and religious equality, and by deduction from ascertained tendencies of human nature in business life we have reached very important generalizations in political economy. Other instances of partial generalizations, which appear to me to rest directly on utility, may be found in Mill's chapter on the Province of Government, the last in his *Political Economy*. If many of his conclusions turn out to be wrong, this need not condemn the direct utilitarian method (to give it a convenient name), such errors being doubtless due to imperfect knowledge, both of human nature and of social statistics, and to lapses

from sound logic. These defects are to be cured by further study and experience and more careful reasoning. There is no "royal road" to political wisdom, *pace* Herbert Spencer and some of his successors. But to get rid of indefinite and ill-founded axioms, where they exist, is to remove a source of false confidence, as well as of wordy disputation, which together distract us from much needed statistical inquiries, essential to forming a just view of the working of the social organism.

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J. H. LEVY.

"Might is right," says Mr. Greevz Fysher. But to say this is to deny that right exists for him. So that when I accused him of endeavouring to defend private property in land by an attack on fundamental morals, I was perfectly accurate. "Is toleration to be mutual," said Sir Roland Wilson, "when I appropriate nine-tenths of the available land, leaving one-tenth to you?" Mr. Fysher replies: "This assumes an axiomatic criterion of fairness. The morality of nature knows nothing of fairness. All is ruthless struggle and mutual extermination." Is there any need to reply to this? If a controversialist declares himself lacking, or unwilling to recognize, the basic sentiment of morals, to which every ethical appeal must be made, it is as useless to argue with him on an ethical question as to debate, with a man blind from birth, the respective merits of two schools of painters. To point to the ruthless processes of nature, and make their existence the ground of a denial of some standard of fairness in the relations of man with man, is to repudiate all allegiance to morality. "The doctrine that man ought to follow nature," said John Stuart Mill, "or in other words ought to make the spontaneous course of things the model of his voluntary actions, is equally irrational and immoral. Irrational, because all human action whatever consists in altering, and all useful action in improving,

the spontaneous course of nature ; immoral, because the course of natural phenomena, being replete with everything which, when committed by human beings, is most worthy of abhorrence, any one who endeavoured in his actions to imitate the natural course of things would be universally seen and acknowledged to be the wickedest of men.”\*

“ Might is right,” says Mr. Greevz Fysher. But he also says that “ he who plants himself in an unoccupied position interferes with nobody ; but those who disturb him in the slightest degree tamper with the foundations of justice.” But suppose these disturbers are mightier than he. “ Might is right,” and it is on their side. Why accuse them of tampering with the foundations of justice for doing what is right according to his own criterion ?

In my previous criticism (p. 68) I complained that these “ foundations of justice,” were “ left totally unexplained and unsupported ” ; and I said of the phrase : “ It is a question-begging phrase and nothing more.” How does Mr. Fysher reply to this ? “ Justice,” he says, “ is avoidance of disturbance.” If, then, we substitute “ avoidance of disturbance ” for “ justice ” in Mr. Fysher’s dictum above, we get : “ Those who disturb him in the slightest degree tamper with the foundations of avoidance of disturbance.” So they do ; but as this only means that those who disturb do not avoid disturbance, the assertion is purely verbal and meaningless. Moreover, as “ justice is avoidance of disturbance ” and “ might is right,” might (when successfully used to disturb) is right but unjust. What this jumble of predicates signifies no man could say ; but the truth is that Mr. Fysher should not use moral predicates, for they have no meaning for him. He has taken up the position of the Anarchoid Egoists, from whom I am glad to have earned the title of “ a mischievous busybody.” I shall do my best to retain it.

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\* Three Essays on Religion, p. 64.

"Surely," says my critic, "Mr. Levy is mistaken in regarding the advocacy of private property in land as involving an attack on fundamental morals. The principles which Mr. Levy upholds as fundamental morals are far from being either fundamental or universal, as they ignore any proprietary rights of other forms of life outside the human species." Now there are two ways of impugning the discrepancy between man's moral relations with man, at their best, and these relations with other animals, at their worst. We may do this in order to lift up man's dealings with other sentient beings to something like the standard he recognizes in interhuman relations. Or we may do it in order to justify or excuse in human relations the same disregard of the first elements of moral dealing which we too often find in man's treatment of his "poor relations." Mr. Fysher repudiates the basic sentiment to which I appeal because it is not manifested in our relations to "other forms of life outside the human species." So wide are these stage sympathies of his that he grows quite pathetic over the woes of cabbages. "The poor plants," he plaintively pleads, "never had any chance of owning themselves or anything else." But does he wish to confer proprietary rights on all the members of the organic world? Not at all. If even self-possession were conceded by animals to plants, the whole of the animals in the world would starve—the sentient world, as we know it, would cease to exist, out of consideration for the non-sentient. Mr. Fysher contemplates no such absurd catastrophe. His "poor plants" are merely dragged in *ad hoc* because he thinks that, by their aid, he can destroy the generality of the principle I assert, and therefore its fundamental validity.

With regard to the *ignoratio elenchi* which runs through the greater part of Mr. Fysher's previous article, and to which I drew attention in the second and fourth paragraphs of my reply (pp. 66-7), he makes no real attempt to substantiate his case against



me, but quotes a sentence of mine which is irrelevant to the issue, and then says it is a side issue. Sir Roland Wilson has replied for himself above; but on one point he is mistaken. That which I characterized as "monstrously absurd" is "that the argument for public property in land is based on a supposed right of anyone to easy access to all land at any time." That the whole of the human race should have the right of simultaneous easy access to any given square yard of the earth's surface is manifestly ridiculous; for no man has a right to that which the very constitution of nature makes impossible.

Turn we now to Mr. Evershed. He is a painstaking but a most unhappy controversialist, at all events when moral issues are at stake. On economics he can reason with great success; and he would not think of raising objections to the terms "rent," "capital," "value," because, in ordinary parlance, they are used ambiguously. He would carefully note the sense in which each of them is used in economic discussion; and any sciolist who indulged in verbal trifling because of their uncertain connotation in popular usage would receive from him well-merited rebuke. Anyone who argued that physical laws are vague and invalid because, in such sentences as "The gravity of platinum is greater than that of gold" and "The political situation is of great gravity," the word "gravity" is used ambiguously, would receive a sharp and perhaps contemptuous reply. But Mr. Evershed's distaste for and rebellion against the moral postulates† make him deal with ethical terms in quite a different way; and the greater part of his present contribution consists of the dreariest of platitudes which decide nothing, based upon quibbles as to the meanings of terms—meanings

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† Mr. Evershed has written to say that he thought he had said enough in the above article to dispel the impression that he had rebelled against the moral postulates, and that he is not aware that he has any distaste for them. He adds, however, that he does not include the liberty principle in them.

which he would apprehend with the greatest facility were he but disposed to do so.

A considerable time after the oral discussion on Sir Roland Wilson's paper, with which this controversy began, Mr. Evershed expressed his dissatisfaction with what he had said, and asked to amend the report of his speech. But it was too late. When, however, Mr. Greevz Fysher was allowed to send his criticisms in writing, I then—as editor—accorded to Mr. Evershed the opportunity of putting himself right, by comment on Mr. Fysher's article. He made use of this opportunity by indulging in a wild panegyric on Mr. Fysher's contribution and an onslaught on my own position. I found no fault with this. I regard my position as impregnable, and am grateful to anyone who will aid in demonstrating this by attacking it. But now Mr. Evershed is as dissatisfied with his written contribution as he was with his oral one. He repudiates his laudatory estimate of Mr. Fysher's article, and confesses that "the wish was father to the thought." I have no doubt that it was; and that his wishes have a much larger family of thoughts on ethical subjects than he at present suspects.

Following the same line of inept verbalism which he has followed throughout, Mr. Evershed declares that Mr. Fysher's declaration of faith, that "might is right" is enigmatical. There is nothing enigmatical about it. It is a brutally plain statement. Mr. Evershed says that by attaching special meanings to these words, they may be made out to be synonymous. So they may. This may equally well be done with any two words in the English language, such as "black" and "white." By a continuation of this process, *Paradise Lost* might be shown to be synonymous with a table of logarithms. But what then? Does Mr. Evershed imagine that any realities in this world would be affected by this linguistic legerdemain? He, himself, has an odd way of using words. He says that, by "the ethicists," in his previous

article, he meant those who attempt to solve the land question by a pseudo-ethical axiom! This "pseudo-ethical axiom" is that which bases proprietary rights on personal rights, and awards property to those, and those alone, who have earned it by labour and waiting, or their assigns. But Mr. Evershed writes not a word to show how property may otherwise be legitimately acquired. He says that the sentiment or rule against private property in land can hardly be a true moral principle, since it is far from being part of the general conscience of civilized mankind. But the latter part of this statement is, to say the least, very doubtful, and is inconclusive if true. Mr. Fysher admits that "the moral feeling of the masses . . . rebels against landlordism"; and, even if this were not so, I could not concede that a feeling is not a true moral sentiment because it is not generally found in the mind of civilized man at the present day. How long is it since the European conscience first recognized the right to freedom of thought and speech? Even now that recognition is not complete. It may safely be predicted that many moral dicta which have not yet risen above the horizon of the human conscience will some day be acclaimed in the repertory of human duties.

Mr. Evershed expresses his disappointment that, in my evidence before the Royal Commission on Vivisection, I gave no specific instances of the mediate axioms of ethics. But, in the first place, this is not accurate. At the very least, I gave two such instances, and those most apposite to the question under investigation—(1) that cruelty is immoral, and (2) that scientific motive is no justification of an act which is otherwise to be condemned as immoral. It has to be borne in mind that I was under cross-examination, and could do no more than answer the questions put to me, which have not always been fully reported. After my examination, I wrote to Viscount Selby, the Chairman of the Commission,

stating that "I would have been very glad to have had a better opportunity of stating the mediate principles of ethics involved," and asking for further cross-examination; but the opportunity was not accorded to me.

Mr. Evershed tells us he must take his "stand on utility as the direct basis of politics." And then he goes on to say that he does not mean by this "that we must judge each case 'on its own merits' in a purely empirical manner." What then does he mean? What is "the direct utilitarian method"? He speaks of political generalizations which have been reached, and which we are apparently to use in our political judgments. And this judgment through mediate generalizations is the *direct* utilitarian method!

With Mr. Evershed's very tremulous adoption of the method of the last chapter of Mill's *Principles of Political Economy*, I cannot adequately deal, in the final paragraphs of a discussion on the Land Question. This, however, I will say. That chapter is but a continuation of a discussion commenced in the first chapter of the same "book" of the *Principles*; and, if Mr. Evershed will turn back a few pages from that, he will find that the last section of the preceding chapter (Book IV., Chap. VII., §7) commences with these words:—"I agree, then, with the Socialist writers in their conception of the form which industrial operations tend to assume in the advance of improvement; and I entirely share their opinion that the time\* is ripe for commencing this transformation, and that it should by all just and effectual means be aided and encouraged."

The logical method—if it can be called such—sketched in the first and last chapters of the succeeding "book" is the natural outcome of this. It is the method of Empirical Socialism—an unsystematic appeal to the minor expediencies, consisting in the

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\* Written in 1852.—J. H. L.



main of a number of loose and narrow inductions, none of which is of much probative force. Mill takes a number of instances of functions actually performed by governments, and to which, as he thinks, no objection has been raised, assumes therefore that they are unobjectionable; and, as he can find no principle sufficiently wide to embrace all of them, except that they are thought to be useful, takes this as the direct criterion of State Function. "Examples," we are told, "might be indefinitely multiplied without intruding on any disputed ground. But enough has been said to show that the admitted functions of government embrace a much wider field than can easily be included within the ring-fence of any restrictive definition, and that it is hardly possible to find any ground of justification common to them all, except the comprehensive one of general expediency; nor to limit the interference of government by any universal rule, save the simple and vague one, that it should never be admitted but when the case of expediency is strong."†

How this contrasts with the general doctrine of the *Essay on Liberty*, I need not point out. But the whole question is begged by Mill's assumption that he has not intruded on any disputed ground. Even if this were so, he ought to have known that this affords no sufficient ground on which to base a theory of State Function. The earth was not flat before Copernicus, though its flatness was not challenged. We owe much to Mill; but the worst way in which we can hallow his memory is blindly to accept his lapses in logic, which are not infrequent.

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† Book V., Chap. I., § 2.



# The Solution of the Problem.

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By J. H. LEVY.

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THE Committee of the Personal Rights Association, to whose decision this volume owes its existence, have asked me more fully to explain and defend the passage in my *Outcome of Individualism* on which the foregoing discussion has so largely turned. I do so with very great willingness, as I believe that, if I could only get it thoroughly understood, it would meet at once with very wide acceptance, and would speedily win its way to general assent—except among those who hold that “might is right,” or repudiate the principle of liberty: for whose acquiescence I do not hope or ask.

There is no need that I should restate this paragraph, which is quoted by Sir Roland Wilson, with some interjections of his own, on pages 26 and 27 *supra*, and will be found in Section XIV. of my essay in *Socialism and Individualism*, the second volume of this series. It may be worth while, however, to reproduce the statement I made of this scheme, about forty years ago, when first I put it before the public. I was describing the condition of things with regard to land in my Utopia: “There was no private property in land. The State held it in trust for the benefit of the whole people; and everybody might have access to his or her share of it, or transfer this to another in exchange for a portion of capital. This

change was effected without anything in the nature of confiscation or repudiation. A nucleus of a fund for land-redemption was obtained by an alteration in the present absurd law of inheritance. All wealth left intestate without direct heirs escheated to the State, and this was ear-marked for land-redemption. As soon as some of this came into the Treasury, £2 and £3 redeemable notes were very gradually issued to ten times the amount, and invested in land-reversions. These reversions cost but little, and it was found that gold equal to a tenth of the issue was quite sufficient to ensure the convertibility of the notes. An appeal was also made to rich people to contribute to the Land Redemption Fund, and this was liberally responded to by legacies; and many of the large landowners voluntarily turned their freehold tenure into a terminable one. Rent thus ceased to be a source of unequal private income. It was distributed equally over the incomes of the whole community."

On comparing this with the paragraph quoted by Sir Roland Wilson from my *Outcome of Individualism*, it will be seen that there is one notable omission. I said nothing, originally, about the jealous maintenance of "the permanent fiscal burdens on land—which are really a reserved rental belonging to the State." The campaign of the landed interest in Parliament to transfer these burdens to the shoulders of the general taxpayer had then scarcely commenced; and, from that day to this, though I have laboured incessantly to open the eyes of the public to the enormous system of pillage of the poor which has been going on, I have been entirely unsuccessful. I must have written 100 articles partly or wholly on this subject, and I have lectured and spoken on it very frequently. On 8th February, 1894, I delivered a lecture on *The Economics of Labour Remuneration*, for the Bristol Liberal Association, and thus referred to this subject:—

"I have no doubt you have heard that, some few



years ago, economics was banished to a remote part of the solar system. (Laughter.) Do not laugh at this. It is quite possible to banish a science; for science does not mean a body of laws of nature, but the *knowledge* of those laws. We cannot banish the law of gravitation, or the laws of number summed up in the multiplication table; but we can banish physics and arithmetic. We cannot undo the truth that arsenic is poisonous; but we can ignore it—and take the consequences. The laws of Nature, which were with us before we discovered them, will be with us after we have declined to recognize them. They did not come at our bidding, and they will not go because we dislike them or tell them to “be off.” Whether we like it or not, we are in their toils. As long as we live, they will determine for us the limits of the possible. They will set bounds to all our achievements, and eventually to our lives. Do not misunderstand me. I do not wish to beg the question, at the outset, as to what *are* laws of nature. All I wish to impress on you at this stage of my argument is that if a given set of propositions *do* formulate laws of nature, though we may shut our eyes to the propositions, it is mere drivel to talk about the banishment of the laws.

“Now, within the last few years, economics has been under a shade in this country. The popular party in Great Britain—with which I have always acted and hope to continue to act—has chosen to regard it as something which has served its purpose and may now be put aside. As I have said, that may be done. But what is the result? One result is that you have had at least six millions sterling *per annum* added to the burden of the general taxpayer and transferred to the rent-roll of the landowners of this country, under the false plea of relieving the local taxpayer. This six millions per annum capitalized amounts to £200,000,000, or about a quarter of the national debt. From the very inception of this system of subventions to local taxation, I wrote

denouncing it as a fiscal fraud ; but my labour was useless. Economics was banished, and I spoke in an unknown tongue. Recently, my friend Dr. W. A. Hunter, M.P. for North Aberdeen, has written an article in the *Contemporary Review* putting the matter in a very clear light ; and he and several other Members of Parliament have recently drawn attention to it in a letter to the Chancellor of the Exchequer, in which they propose that we should retrace our steps. But the people, even now, do not understand what has happened. How should they ? Economics has been banished, and it cannot be brought back again, for a special occasion, into the popular mode of thought."

This system of plunder has been continued to this day. The loot has mounted to something like the proportions of the national debt. It is not only by means of the Treasury grants in aid of local taxation that this has been effected. The Workmen's Compensation Act, the Old Age Pensions Act, and the National Insurance Act have incidentally helped in the same direction. All means by which rates on land are lessened raise rents and increase land values. And what have the land nationalizers been doing all this time ? Practically nothing. And the Socialists have been helping on this process of legalized brigandage. In *Politics in 1896* (pp. 102-4) George Bernard Shaw wrote :—

"In dealing with the Agricultural Land Rating Bill, the Liberals were equally unhappy. The Bill was simply a proposal to relieve the pecuniary distress of the holders of agricultural land by paying half their rates for them out of the Imperial Exchequer for the next five years. In short, the Government, not caring to violate Free Trade by Protective duties on agricultural produce, gave the landlords a bounty instead. It is not so easy to oppose a proposition of this kind as it was before 1880. On the face of it there is no reason why the Government should not endow agriculture, or any other industry, as well as scientific

research or education. Certainly, it is a violation of *laissez faire*; but *laissez faire* is now so hopelessly reduced to absurdity by social experience that this, on the whole, is a recommendation rather than an objection. A bounty is also an interference with Free Trade; but as the very first principle of Progressivism is resolute Protection for the fundamental commodity in the market—labour—the Free Trade doctrine cannot now be conveniently presented in its old Manchester form—even if any of our statesmen still remembered how to handle it effectively. The old Liberal doctrine that grants from the Imperial Exchequer in aid of local taxation lead to waste and extravagance is now received as a discredited survival from extinct political conditions and from an obsolete anti-Collectivist theory of government. Mere chatter about ‘a dole to the landlords’ is not to the point. It may be sound public policy to give the landlords of England a million and half a year.”

A million and a half a year, capitalized at 3% per annum, is £50,000,000—taken out of the pockets of the masses to be given to the landholders of that particular time. What is the use of talking about land nationalization while this process of land denationalization is going on? This has first to be stopped, as a condition precedent to any efficient scheme of nationalization. The permanent fiscal burdens on land, which are a reserved rental belonging to the State, and should not be classed as taxation, must be firmly maintained; and public lands should not be allowed to slip from public hands. John Stuart Mill, a few months before his death, wrote in the *Examiner*: “The time has come for announcing with the utmost decision—and we hope to see land reformers uniting as one body in the demand—that no private appropriation of land, not yet private property, shall hereafter take place under any circumstances or on any pretext.”

What a sad comment on this is the fiscal history of

the last forty years ! How heavily have the people of this country paid for their economic ignorance ! Until the economics of the question is clearly understood, all hopes of a sane scheme of making land public property, and firmly maintaining it in that condition, must be abandoned. The first point is to teach the leaders ; after this the rank and file may learn. And then what ? The process of denationalization stopped, I would next get some declaration of policy from the House of Commons. A Bill might be passed making the alienation of public lands illegal—not only the public lands at present existing, but all land, either in the economic or the popular sense, which might hereafter come into the possession of the central or local Governments.

And here I may say that the whole of the difficulty (almost, *if not quite*, insuperable in confiscatory or repudiatory schemes) of distinguishing between the unimproved value of the land and that added by human effort, disappears with my scheme. I would nationalize, not merely “economic land,” but land in the ordinary sense. This could not be done with any regard to fairness under such a scheme as that of Sir Roland Wilson. The whole of his argument for confiscation after lapse of half a century is based on the supposition that this is to apply only to values which no man made. But under my scheme there is no necessity for any such restriction. Indeed, there is a very great advantage in making the common heritage of the people in the land as large as is justly possible. Roads, streets, parks, &c., are now public property ; and their value is largely a man-created one. There is nothing in this to which, in my opinion, an Individualist can reasonably object. In other words, I see no objection to, and much advantage in, the nationalization of fixed capital embodied in the land, as well as the land itself, in the economic sense.

But how is it to be done ? Not by repudiation.



The moral objection to such a course I have already stated; and let it be borne in mind that repudiation, like any other human action, cannot be limited *ad hoc*. We cannot have "one example" of wrong practice. Just as, in logic, the evidence which will prove one new case will prove a general proposition; so in ethics, the moral sanction which will cover one action will cover an indefinite number of the same kind. "I will do this just for once" is moral sophistry. If John Smith may do it on a particular occasion; then he and all the rest of mankind may do it on any similar occasion. If a Government may repudiate its contracts with regard to land, it may repudiate its contracts with regard to loans. Indeed, Henry George and Sir Roland Wilson say so. And then, what next? A Government which repudiates its contracts can make none. It is stricken with paralysis, and we are landed in anarchy. Even if its credit be not entirely gone, it will have to pay heavier terms in proportion to the risk.

How, then, are we to get the land? Let me first state what I regard as the problem to be solved. I am accused by Sir Roland Wilson and Mr. Evershed—the combination is ominous—of putting forward an ineffectual application of the moral principle with which I start.\* Is this so? Am I bound to find an immediate and total solution of the difficulty? This is urged by two gentlemen, one of whom does not want to solve it at all, while the other, after arguing that private property in land is robbery, and that the State should repudiate its recognition of it as legitimate private property, winds up by proposing that the so-called robbers shall have eleven-twelfths of what does not belong to them, and that those to whom it really does belong shall have one-twelfth!†

The Land Question is not one in which A has stolen something which belongs to B, and in which we may rightfully demand immediate restitution. As I have

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\* See pp. 27 and 52.

† See page 48.

already said: "Man necessarily appropriated the gifts of Nature. He could have existed in no other way. It is only as time rolls on, and men begin to multiply on the face of the earth, that natural agents, erstwhile so plentiful, now become relatively scarce, and a situation arises which involves injustice to more and more people, till at last the great majority are left in a position which is quite incompatible with equal freedom."\*

Now I think that it cannot reasonably be contested that a grievance arising in such fashion is not to be dealt with summarily, as if it were an ordinary theft. I admit that my plan is a very careful and considerate one. So it ought to be. Inefficacious it is not. It is far more efficacious, and would bear earlier fruit, than that of my friend and critic. I believe that the negative part of it, which I have already described, would, in itself, result in steady nationalization; for land is rapidly falling into the hands of the local and central authorities. But, in addition to this, I propose the formation of a Land Redemption Fund. All intestate estates for which there is no direct heir—husband or wife, children, or parents—should escheat to the State, and be used for this Fund. Endowments of long standing, and which are obsolete, should have the same destination. There should be a Commission to investigate all existing endowments; and those in which the purpose of the testator cannot be carried out, or have become useless, should go to the Land Redemption Fund. An appeal should also be made to the patriotism of the landed classes, and the richer classes generally, to aid in this work. I believe that the anticipations which I made years ago of an abundant harvest from this source are not excessive. But I know that I shall be met with incredulity. People are getting to believe that the only effective method of doing anything is by State coercion; and even Individualists are becoming tainted with this

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\* See page 46.

odious creed. I have sufficient faith in human nature to believe that we could get more than the value of a twelfth of the economic land of our country in this way—provided always that the appropriate moral atmosphere were created. Without this nothing can be done.

I need not repeat what I have already said on the purchase of reversions and the issue of notes; but I would caution my readers against the notion that the latter expedient is susceptible of any very extended use.





# The Land Question in the United States.

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By VICTOR S. YARROS.

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A SUPERFICIAL observer would probably affirm that any chapter on the Land Question in America would be as short as that on snakes in Ireland. "There is no land question in the United States," he would say. We certainly do not hear much about it in ordinary political discussion. The party platforms have no "land" planks; the campaign orators never mention the subject. The tariff is a "live" issue; money and banking have just become an issue; trusts and monopoly, the cost of living, wages and hours of labour, are practical questions. But there is no land question—apparently.

And since political issues are not manufactured; since issues grow out of needs and realized conditions, the facts mentioned regarding land are not without significance. There is no such land question in the United States as there was in France before and during the Revolution; there is no such land question as there is still in Ireland, or in Scotland, or even in England. There is no demand for land purchase legislation; there is no landlordism to "abolish." We have what is called in Europe peasant proprietorship; we have millions of independent small farmers, and many of them are comfortable, if not prosperous.

The last several censuses have, it is true, shown a steady and rapid increase in the number of tenant farmers; but as yet there is no distinct class of such farmers, and they ask nothing of the legislatures that other farmers do not ask—a parcels post, improved credit facilities, better roads, etc.

“Free land” is practically exhausted, thanks to liberal laws for the encouragement of agricultural settlers, and to reckless, profligate legislation for the encouragement of railroad building and “development” by means of land grants. The history of land grants in aid of railway construction or extension is full of scandals; but they are things of the past. There is no movement for the rectification of past blunders and wrongs in this direction.

If “free land” is exhausted, there is an abundance of cheap land. Land seekers, if they have a little capital, energy, and enterprise, have no difficulty in acquiring farms; many States in the Middle West, North West, and South, are complaining of neglected opportunities and insufficient population; they are seeking to attract the immigrants who are pouring in by hundreds of thousands, and proclaiming the richness and cheapness of their soil. A “Back to the Soil” propaganda is being actively promoted in official and other publications; high prices and urban congestion, with unemployment in the great centres, are the chief causes of this propaganda. The cry is, “We want more and better farmers”; and while hundreds are writing about agricultural education, the need of more social life and attractions in the rural districts, the ways and means of checking the drift of the young toward the cities, few suggest that land is scarce anywhere, or likely to be scarce and dear in the near future.

It should be added that the National Government has, by irrigation schemes, annexed enormous tracts of land, formerly arid and barren, to the area of profitably cultivated soil. It is stated in Government

reports that the value of farms in arid and semi-arid regions has more than tripled in the last decade, and that these farms are now worth more than half as much as all the agricultural land in those parts of the United States which have an adequate rainfall.

Such facts as these, it may be repeated, explain the neglect of the land question in the United States. That question simply "has not arrived." The country—a whole continent—is young yet, and its natural resources are not monopolized to the extent known in older countries. This Republic had a splendid start in more senses than one; and the follies and mistakes of its "rulers" have not neutralized the wonderful advantages, material and political, which have for more than a century made America the land of opportunity and hope for the disinherited and oppressed of the Old World.

But it is impossible to doubt that the Land Question is arriving. What are the indications of such arrival? There are many of them.

The first is the so-called Conservation movement. The word "conservation" is in millions of mouths, but only a few have grasped the full meaning and import of the term. The conservation movement is essentially an anti-monopoly movement. It is a movement against the wasting or greedy private exploitation of national assets, especially coal lands, oil lands, timber lands, water power, etc. The old "liberal" policy of permitting individuals or corporations to grab and appropriate natural resources is dead. The people of the United States have realized that such a policy is as criminal as it is absurd. What is gone is gone; but what has not yet been appropriated, under or in spite of law and regulation, can be "conserved"—that is, properly and fairly used for the benefit of the whole nation. This new policy is to be applied, to begin with, to the mineral lands of Alaska. The Federal Government has practically decided to retain the lands and mines of Alaska, and allow them to be

worked as leaseholds under strict supervision. The nation is to get rentals or royalties, and, at the same time, to prevent waste. The same policy is proposed for timber lands and water-power sites in the United States proper.

It is certain that this policy will raise serious and pregnant questions with reference to land generally. Even the American Tories, defenders of monopoly and special privilege, perceive this. To quote one of the most intelligent of the organs of privilege, the New York "Sun":—

"It is scarcely necessary to point out that this [Alaskan] programme involves a radical departure from the principles to which the nation has adhered in the past. Hitherto private enterprise has explored the wilderness, built the railroads, and sought out mineral wealth, receiving as its reward the profits of its adventures. The risk was the pioneer's, and the frequently unfulfilled promise of rich returns urged him forward.

"If the treatment proposed for mineral lands is desirable, it would not be difficult to find arguments in favour of extending it to agricultural lands. If we are to have landlordism with the Government as landlord in the working of coal mines, the same system is not less appropriate for farms. If the Government must oversee the miner to prevent him from wasting the minerals he labours to bring to the surface, why should it not exercise similar watchfulness over the agriculturist that he may be prevented from robbing the soil of its fertility?"

However, the question of waste or poor cultivation is a minor one. More important is that of the right to hold land for speculation and to prevent would-be occupiers and users from settling on it. In rural districts this latter question is not claiming much attention; but, in urban and suburban areas, the situation is very different.



We are brought here to the second line of evidence which shows that the Land Question is actually "arriving." The reference is to the growth of the Single-Tax movement. When, over a quarter of a century ago, Henry George proclaimed his Single-Tax gospel in "Progress and Poverty," practical men ridiculed his "panacea." And, in truth, his book was thoroughly fallacious. Its "demonstrations" were utterly unreal. It ignored facts and conditions. Land monopoly was not then, and is not now, *the* cause of poverty and misery in the United States. Even Philosophical Radicals and foes of monopoly read this book and wondered at its assumptions and irrelevance. There was an abundance of land; what was lacking was capital, skill, and agricultural experience.

To-day, the followers of Henry George are not asserting with dogmatic and childish confidence that the Single-Tax is a panacea—that the appropriation by the community of land-values would abolish all poverty and make a paradise of the country. They recognize the existence of other monopolies, other grave injustices, and are proposing the Single-Tax as *one* of the remedial measures to be adopted. And their movement is undoubtedly growing. In a few Western States, laws providing for "Home Rule" in taxation, or for county option as to taxation (the county being the unit) have been passed, or are being considered, as the result of the activity of the Single-Taxers and their co-workers. The matter has reached the Referendum stage. Being opportunists, the Single-Taxers are ready to take half-loaves where whole ones are out of the question. They would increase the tax on land, force speculative holders of lots to sell them or improve them, and reduce the taxes levied on buildings, mercantile establishments, and "improvements" generally. Hard-headed men of business are beginning to listen to them. Why not, they are asking, tax "unearned increments" and relieve industry and commerce of part of their heavy tax burdens?

Even in Conservative New York, an influential

"Business Men's Committee" is fathering a Bill for "halving the tax rate on buildings." They propose gradually to reduce the rate of taxation on buildings until it is one-half the rate on land. To quote from the Committee's argument :—

"Buildings in New York are taxed at the same rate as land. This encourages the owners of vacant land to hold it out of use ; because the annual increase in land-values is more than double the tax rate on land. It discourages the construction of buildings, most of which when constructed are assessed for at least twice as much as the land upon which they stand. Buildings therefore usually pay at least twice as much taxes as their sites. Buildings, however, depreciate at least 2 per cent. a year, or slightly more than the total amount of taxes they pay. The present system of taxing buildings naturally keeps the supply of buildings below the demand—that is, it keeps up rents, and this increases the cost of doing business in New York City, and increases the cost of living here. The present system of taxing buildings at the same rate as land is also contrary to the principle of equality of taxation, because land and buildings are different kinds of property, land-values constantly appreciating, values of buildings constantly depreciating. It also taxes the industrious, manufacturers, the commercial interests of the city, and all workers in the city—for the benefit of landowners—an unjust use of the taxing power to enrich a few at the cost of the many."

These are the arguments that are now being used with effect in the United States. And they are reinforced by undisputed facts concerning the breakdown of the so-called "general" property tax, imposed by the Constitution. This tax makes no distinction between personalty and realty, between tangible and intangible property. Land, buildings, cattle, machinery, furniture, stocks, bonds, mortgages, money in

banks—all these forms of property must be taxed at the same rate in most of the States. What is the result? Intangible personalty escapes taxation; owners of stocks and bonds fail to schedule them. This makes the burden of the owners of farms, houses, tangible property, much heavier than it was intended to be. This begets a sense of injustice, and in turn becomes a cause of tax-evasion and contempt of law. Radical revision of the taxation laws is a burning question in many of our States, and the public mind is receptive, willing to entertain suggestions. Many propose nothing more than exemption of intangible personalty (stocks, bonds, etc.), or the taxation of such property at a special low rate—perhaps one-sixth or one-eighth of the rate now levied on property generally—when found. But the condition of things is such that more Radical ideas also meet with favour. The taxation of land-values, therefore, may be expected to enlist more and more sympathizers.

I need hardly explain that I am dealing with State and local taxes. In the Federal domain, the question of taxation wears a wholly different aspect. The Federal Government levies customs duties, taxes on liquor, tobacco, &c., and on a few miscellaneous articles. This system has its own iniquities and anomalies; but the cure for them is being sought in income and inheritance taxes. Already there is a crude statute for the taxation of the net income of corporations when it exceeds 5,000 dollars annually. It is now proposed to extend this tax to co-partnerships, individuals engaged in business, and others who earn over 5,000 dollars a year. An income tax is surely coming in the United States; and that will be a great advance on taxes which fall on consumers as such and bear more hardly on the poor than on the well-to-do and rich.

So much for the practical phases of the situation. I repeat, many things conspire to direct attention more and more to taxation and to the treatment of

land—or natural resources generally—in the scheme of modern taxation. As to theories and schools of taxation and land titles, there is but little to be said. There are those—and their name is not legion—who adhere to the view that occupancy and use constitute the only valid moral title to land. These would not tax land values or unearned increments; the abolition of serious monopoly in land would satisfy them. There are those—and their number has not increased in late years—who would nationalize land and other natural wealth, and make all occupiers tenants of the State. Finally, there are the Single-Taxers with their plan of retaining private property in land while “equalizing natural opportunity” by squeezing out, for the benefit of the State, every dollar of unearned increment. The truth, however, is that the theoretical aspects of the Land Question are not widely or earnestly discussed in the United States just now. Economists and Radical editors and writers are too much engrossed in the practical questions of immediate changes in taxation, of conservation, and of methods and needs of agriculture, to trouble about questions of principle or the needs of the future.



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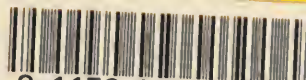
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